



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
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सं० 12] नई दिल्ली, शनिवार, मार्च 20, 1965/फाल्गुन 29, 1886.

No. 12] NEW DELHI, SATURDAY, MARCH 20, 1965/PHALGUNA 29, 1886

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 8 मार्च, 1965 तक प्रकाशित किए गए :—

The undermentioned Gazettes of India Extraordinary were published upto the 8th March, 1965:—

Issue No.	No. and Date	Issued by	Subject
40	S. O. 766, dated 2nd March, 1965	Ministry of Law	Declaration containing the name of the candidate elected to fill the Vacancy in the Council of States.
41	S. O. 767, dated 2nd March, 1965	Ministry of Finance	Appointing Shri B. D. Pande, (Deptt. of Revenue) to be the Chairman, Life Ins. Corpn. of India.
42	S. O. 768, dated 4th March, 1965	Ministry of Information and Broadcasting.	Approval of films specified therein.
43	S. O. 769, dated 5th March, 1965	Ministry of Finance	Notifying that the rate of interest to be changed by the Finance Corporation for loans etc. shall be at 8 1/2 %.
44	S. O. 770, dated 6th March, 1965	Ministry of Steel and Mines.	Amendment to the selling prices of Prime quality Steel etc.

Issue No.	No. and Date	Issued by	Subject.
45	S. O. 771, dated 6th March, 1965	Ministry of Commerce	Notifying that fish etc. shall be subject to quality Control
	S. O. 772, dated 6th March, 1965	Do.	The Export of fish and fish products (Inspection) Amendment Rules, 1965.
	S. O. 773, dated 6th March, 1965.	Do.	Amendment to S.O. 4397, dated 29th December, 1964.
	S. O. 774, dated 6th March, 1965	Do.	Appointing a panel of Experts for the Export of fish etc.
46	S. O. 775, dated 8th March, 1965	Ministry of Finance	The Dadra and Nagar Haveli, Goa, Daman and Diu and Pondicherry (Surtax Concessions) Order, 1965.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3 उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विभिन्न आदेश और अधिसूचनाएं।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 11th March 1965

S.O. 866.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby **cancels** with immediate effect its Notifications No. 434/UP/64(2), dated the 2nd September, 1964 and No. 434/UP/65, dated the 16th February, 1965.

[No. 434/UP/65.]

By Order,

PRAKASH NARAIN, Secy.

ERRATUM

New Delhi, the 9th March 1965

S.O. 867.—In the Commission's notification No. 100/UP-HP/2/64, dated the 15th February, 1964, published as S.O. No. 590 in the Gazette of India, Extraordinary,

Part II, Section 3, Sub-section (ii), No. 30, dated the 15th February, 1965, for the word "Bajpur" read "Rajpur".

[No. 100/UP-HP/2/64.]

By Order,

V. RAGHAVAN, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 11th March 1965

S.O. 868.—In exercise of the powers conferred under entry 3(c) of Schedule I of GSR 991—Ministry of Home Affairs Notification No. 15/13/59(V)-P.IV, dated 13th July, 1962—and in partial modification of this Ministry's notification No. 16/1/65-P.IV dated 18th January, 1965—S.O. 254 published in the Gazette of India—Part II, Section 3-sub-section (ii) dated the 23rd January, 1965—the Central Government is pleased to specify that the exemption notified in the notification dated 18th January, 1965 shall be valid in respect of one shot gun, one rifle and one pistol/revolver each.

[No. 16/1/65-Police IV.]

G. L. BAILUR, Under Secy.

गृह मन्त्रालय

नई दिल्ली, दिनांक 11 मार्च 1965

एस० ओ० 869.—सामान्य परिणियत नियम 991 की अनुसूची I की प्रविष्टि 3(ग)—गृह मंत्रालय की अधिसूचना संख्या 15/13/59-(V) पी IV दिनांक 13 जुलाई 1962 द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए तथा इस मंत्रालय की 18 जनवरी 1965 की अधिसूचना संख्या 16/1/65-पी IV [23 जनवरी 1965 के भारतीय राजपत्र के भाग II खण्ड 3 उपखण्ड (ii) में प्रकाशित परिणियत आदेश 254] का आंशिक संशोधन करते हुए—केन्द्रीय सरकार सहर्ष अधिसूचित करती है कि 18 जनवरी 1965 की अधिसूचना में अधिसूचित, धर्मो के राजा की सुत्रियों—राजकुमारी इन्दुकुमारी तथा राजकुमारी पवन कुमारी—को दी गई छूट एक छर्रे वाली बन्दूक (शाट गन), एक राइफल तथा एक पिस्तौल/रिवालवर के बारे में लागू होगी ।

[संख्या 16/1/65-पी० IV]

जी० एल० बैलूर,

अवर सचिव, भारत सरकार ।

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 9th March 1965

S.O. 870.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the Hindustan Commercial Bank Ltd., Kanpur, in respect of the property held by it at Dholpur, till the 15th March, 1966.

[No. F. 15(2)-BC/65.]

B. J. HEERJEE, Under Secy.

CENTRAL BOARD OF DIRECT TAXES**ESTATE DUTY***New Delhi, the 11th March 1965*

S.O. 871.—The following draft amendments of Estate Duty Rules, 1953 which the Central Board of Direct Taxes, constituted under the Central Boards of Revenue Act, 1963 (54 of 1963), proposes to make in exercise of the powers conferred by sub-section (1) of section 85 of the Estate Duty Act, 1953 (34 of 1953), are published as required by the said sub-section (1) of section 85 for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after 5th April, 1965.

Any objection or suggestion that may be received from any person with respect to the said draft amendments before the date so specified shall be taken into consideration by the Board.

DRAFT AMENDMENTS

1. These rules may be called the Estate Duty (Amendment) Rules, 1965.

2. In the Estate Duty Rules, 1953,—

(a) rules 3 and 4 shall be omitted;

(b) for rule 6, the following rule shall be substituted, namely:—

"6. Power of the Central Board of Direct Taxes to transfer proceedings.

(1) Notwithstanding anything contained in rule 5, the Board may at any stage of the proceeding relating to the case of any estate transfer it from one assessing authority to another.

(2) The assessing authority to whom the case of an estate has been transferred under sub-rule (1) may continue the proceeding so transferred from the stage at which it stood immediately before the transfer or recommence the proceeding:

Provided that before recommencing any proceeding the accountable person shall be given a reasonable opportunity of being heard.

(3) Whenever, a Deputy Controller or an Assistant Controller ceases to exercise jurisdiction in respect of any proceeding under the Act and is succeeded by another who has or exercises such jurisdiction, the Deputy Controller or the Assistant Controller so succeeding may continue the proceeding from the stage at which it was left by his predecessor:

Provided that the accountable person may, when the succeeding Deputy Controller or Assistant Controller commences to exercise jurisdiction, demand that the previous proceeding or any part thereof taken before his predecessor be re-opened or that before any order imposing the duty is passed, he be re-heard."

(c) in sub-rule (2) of rule 25, for the words "the Assistant Controller, the Deputy Controller or the Controller as the case may be", the words "the Assistant Controller or the Deputy Controller, as the case may be" shall be substituted.

(d) sub-rule (6) of rule 26 shall be omitted.

(e) Form E.D. 9 shall be omitted.

EXPLANATORY NOTE

[This note is not part of the Notification but is intended to be merely clarificatory.]

The Deputy Controllers of Estate Duty are no longer exercising any assessment powers and the Central Board of Direct Taxes is no longer an appellate authority to hear appeals against the orders of a Controller. It has, therefore, become necessary to make suitable amendments in the Estate Duty Rules, 1953.

[No. F.12/1/64-ED.]

G. R. HEGDE, Secy.

CENTRAL EXCISE COLLECTORATE, HYDERABAD, DECCAN

CENTRAL EXCISES

Hyderabad, the 8th March 1965

S.O. 872.—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules, 1944, I hereby delegate to all Assistant Collectors in the Hyderabad Collectorate the powers conferred on me by the rule 56 A(2) of the Central Excise Rules, 1944.

[No. 1/65.]

R. C. MEHRA, Collector.

MINISTRY OF COMMERCE

TEA CONTROL

New Delhi, the 11th March 1965

S.O. 873.—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (29 of 1953), read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints Mr. J. B. Soutar, as a member of the Tea Board until the 31st March, 1966, in the vacancy caused by the death of Shri C. V. Subbu, and makes the following further amendment in the notification of the Government of India in the late Ministry of Commerce and Industry No. S.O. 1151, dated the 20th April, 1963, namely:—

In the said notification, for entry 15, the following entry shall be substituted, namely:—

<p>"15. Mr. J. B. Soutar, General Manager, M/s. Kanan Devan Hills Produce Com- pany Ltd., Munnar P.O., Kerala State.</p>	}	<p>Representing owners of tea estates and gardens and growers of tea."</p>
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[No. 7(1)Plant(A)/62.]

B. KRISHNAMURTHY, Under Secy.

MINISTRY OF STEEL AND MINES

(Department of Iron & Steel)

CORRIGENDUM

New Delhi, the 12th March 1965

S.O. 874.—PRI/84/N/ESS. COMM/Iron and Steel/15(1)-27(1).—In the Notification of the Government of India in the Ministry of Steel and Mines (Department of Iron and Steel) No. S.O. 770-PRI/84/N/Ess. COMM/Iron and Steel/15(1)-27(1), dated the 6th March 1965 published in Part II—Section 3—sub-section (ii) of the Gazette of India Extraordinary, dated the 6th March, 1965, in Schedule No. IV against S. No. 10(b) under column III untested for "110" please read "1010".

[No. SC(C)-2(9)/65.]

A. N. RAJAGOPALAN, Under Secy.

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 9th March 1965

S.O. 875.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the

Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to Messrs L. B. Simoes, Sanvordem and their workmen which was received by the Central Government on the second March, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, AT BOMBAY

REFERENCE No. C.G.I.T. 70 of 1964

Employers in relation to Messrs L. B. Simoes, Sanvordem:

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Workmen: Counsel Shri C. L. Dudhia, Bar-at-Law, with Shri V. A. Gavas, President, National Mine Workers' Union, Goa.

For the Employers: Shri B. F. D'Souza, Advocate, instructed by Shri W. O. Simoes, Chief Executive of Messrs L. B. Simoes, Sanvordem.

Dated at Bombay the 26th day of February 1965.

INDUSTRY: Manganese Mining.

STATE: Goa.

AWARD

The Central Government, by the Ministry of Labour and Employment's Order No. 23/11/64-LR.II, dated 23rd July 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order to me for adjudication:

SCHEDULE

- "1. Whether the management of Messrs L. B. Simoes was justified in directing Shri Vishvanath Karmalkar to stay away from work from 29th January 1964?
2. If not, to what relief is the workman entitled?"
2. At hearing of this dispute before me on 24th February 1965, the parties recorded the following settlement and prayed that an award be made in terms thereof:

Settlement

"At the hearing of this dispute at Bombay on 24th February 1965 the management agreed to take back Shri Vishvanath P. Karmalkar in its service in his former post of truck driver on the same pay with effect from 1st March 1965, with benefit of continuity of service to him—the period from 1st February 1964 to 28th February 1965, being treated as period of leave without pay. On the suggestion of the Tribunal and with a view to maintain industrial peace the management has agreed to make an *ex-gratia* payment of Rs. 300 (Rupees Three hundred) to Shri Vishvanath P. Karmalkar on 1st July 1965, provided he continues his service till that date."

3. I, therefore, make an award in terms of the settlement recorded by the parties.

4. No order as to costs.

Sd./- SALIM M. MERCHANT,
Presiding Officer.

[No. 23/11/64-LR-I.]

New Delhi, the 10th March 1965

S.O. 876.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Dhanbad, in the industrial dispute between the employers in relation to the Kankanee Colliery and Amlabad Colliery of Messrs Bhowra Kankanee Collieries Limited and their workmen which was received by the Central Government on the 6th March, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD
REFERENCE No. 60 AND 61 OF 1963.

PARTIES:

REFERENCE No. 60 of 1963

Employers in relation to the Kankanee Colliery of Messrs. Bhowra Kankanee Collieries Ltd.,

AND

Their Workmen.

REFERENCE No. 61 of 1963

Employers in relation to Amlabad Colliery of Messrs. Bhowrah Kankanee Collieries Co. Ltd.

AND

Their workmen.

PRESENT: Shri Raj Kishore Prasad, M.A.,B.L.,—*Presiding Officer.*

APPEARANCES:

For the Employers—Sarvashree B. Lat and T. P. Jha.

For the Workmen—Sarvashree S. Das Gupta and Shankar Bose.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 22nd February, 1965

AWARD

These two references at the request of the parties were heard together as the evidence is the same and a common question of law arises in both the cases, and, therefore, I am disposing of both the cases by one award which will govern them both.

2. Reference No. 60 of 1963:

2. Ministry of Labour and Employment, Government of India, by its Order No. 2/23/63-LRII dated the 7th August, 1963, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947 an industrial dispute existing between the employers in relation to Kankanee Colliery and their workmen in respect of the matter specified in the schedule below to this Tribunal for adjudication:

SCHEDULE

“Whether the management of the Kankanee Colliery of M/s. Bhowra Kankanee Collieries Limited was justified in retiring the workmen mentioned below from service with effect from the 5th May, 1963.

If not, to what relief are the workmen entitled?”

- | | |
|---------------------------------------|---------------|
| 1. Shri Mukteswar Paramanik | Cash peon |
| 2. „ Deonarayan Pandey | Store Pcon |
| 3. „ G. G. Banerjee | Overman |
| 4. „ Khirrodhar Barhi | Mining Sirdar |
| 5. „ Osai Mishra | Electrician. |

3. Reference No. 61 of 1963:

Ministry of Labour and Employment, Government of India, by its Order No. 2/21/63-LRII dated the 7th August, 1963, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947 an industrial dispute existing between the employers in relation to the Amlabad Colliery of Messrs. Bhowra Kankanee Collieries Company Limited and their workmen in respect of the matter specified in the schedule below to this Tribunal for adjudication.

SCHEDULE

“Whether the management of Amlabad Colliery of Messrs. Bhowra Kankanee Collieries Company Limited, Post Office Bhowra (District Dhanbad), were justified in retiring the workmen mentioned below from service

with effect from the 3rd April 1963. If not, to what relief are the workmen entitled?"

S. No.	Name of the workman	Designation
1.	Shri S. N. Choubey	Chaprasai
2.	" Jangli Jaswara	Chaprasai
3.	" Padarath Barhi	Carpenter
4.	" H. N. Chatterjee	Sand Munshi
5.	" B. K. Ghosh	Compounder
6.	" Sukhu Mahato	Mining Sirdar."

4. Both the parties were represented at the hearing. Sarvashree Balkrishna Lat and T. P. Jha. appeared for the Company and Sri S. Das Gupta, appeared for the workmen concerned, who represented the Colliery Mazdoor Sangh. None of the parties examined any witness. The management, however, filed documents which were marked Exhibits M to M. 7 in Reference No. 60 of 1963 and Exhibits M to M. 9 in Reference No. 61 of 1963. The workmen did not file any document.

5. On behalf of the management, Sri Lat filed a petition taking a preliminary objection to the validity of the two references on the ground that an agreement between the parties was arrived at on 14th January 1955 which is Exhibit M. 2 in Reference 60 of 1963 and Exhibit M. 3 in Reference No. 61 of 1963, and that agreement of 1955 was still in operation and in that agreement by item 5 the Union agreed to drop all the demands, including the demand of non-applicability of Karamchand Thapar service rules Exhibit M to the workmen concerned and the concerned workmen having been retired from service under Rule 11(c) of the said Rules Exhibit M and no notice having been served on management for terminating the said settlement of 1955 as required by Section 19 of the Act, the present references made during the continuance of the said settlement of 1955 were invalid and consequently, the Conciliation Officer also had no jurisdiction to hold conciliation as it was beyond the scope of the Industrial Disputes Act and as such the Tribunal should refuse to go into the same for want of jurisdiction.

6. On merit, the case of the management was that the workmen concerned, having been retired in accordance with Rule 11(c) of Exhibit M, were entitled to any relief. The defence, however, of the workmen was that the said Service Rules Exhibit M did not apply to the workmen as they never agreed to be bound by them.

The principal question, therefore, for determination on merit would be, whether the Service Conditions Exhibit M are applicable to the workmen concerned, if the preliminary objection is over-ruled.

Preliminary Objection:

7. It was conceded by Sri Das Gupta, appearing for the workmen concerned, that if the demand of the workmen that they should not be governed by Service Rules Exhibit M, as mentioned in Exhibit M. 2(b) in Reference No. 60 of 1963 which is the same as Exhibit M. 5 in Reference 61 of 1963, was given up in Exhibit M. 2—Exhibit M. 3 by item No. 5 than as the said agreement Exhibit M. 2—M. 3 was admittedly effective till now, as it has not been terminated, the said demand cannot be raised unless the said agreement was terminated. The sole question, therefore, for determination is, whether the demand for non-application of the service rules contained in Item No. 5 of Exhibit M. 2(b) in Reference No. 60 of 1963 and of Exhibit M. 5 in Reference 61 of 1963 was given up by item No. 5 in Exhibit M. 2—Exhibit M. 3 as contended by the company or it was not given up as contended by the workmen.

8. In order to resolve this controversy certain admitted facts have to be mentioned first. The admitted facts are these:

- (1) There was an agreement between the parties on 14th January 1955 which is Exhibit M. 2 in Reference 60 of 1963 and Exhibit M. 3 in Reference No. 61 of 1963 regarding five items;
- (2) This agreement of 1955 is still effective between the parties as admittedly it has not yet been terminated; and
- (3) The present dispute was raised on 4th May 1963, which resulted in a Failure of Conciliation Report by the Conciliation Officer Exhibit M. 3 and thereafter a reference to this Tribunal in August, 1963.

9. The question, therefore, is, whether item No. 5 in the Charter of Demands Exhibit M. 2(b) = Exhibit M. 5 by the workmen regarding non-applicability of the Service Rules Exhibit M was dropped by the Agreement Exhibit M. 2 = Exhibit M. 3 by item No. 5 in order to decide this question it is necessary to read the relevant passages from both the documents.

10. According to the Company, Items 5 to 8 were dropped, whereas, according to the workmen only Items 7 and 8 were dropped. Items 7 and 8 being common and admittedly having been dropped according to both parties, we are therefore left with only Items 5 and 6 and out of these two, Item 5 is the real item on which rests the decision of the present controversy. In order to avoid controversy and confusion I am, however, reproducing all the items contained in Exhibit M. 2(b) = Exhibit M. 5 so that all the 8 items of the Charter of Demands may be compared with the 5 items of the Agreement of 1955 to find out whether Item 5 of Exhibit M. 2(b) = Exhibit M. 5 was dropped by Item 5 of Exhibit M. 2 = Exhibit M. 3 or not.

11. Items 1 to 8 of the Charter of Demands Exhibit M. 2(b) = Exhibit M. 5 are these:

- “(1) That the service conditions of all the employees including their grading, increments, leave etc. should remain unaltered under the management of the purchaser Company.
- (2) That the existing facilities and the privileges including medical facilities, free supply of kerosene, electricity, accommodation and other materials should not be curtailed after 31st December, 1954.
- (3) That the privilege of pension scheme which forms one of the service conditions should remain in force even after the change over and the employees who are being retrenched or forced to retire should get retrenchment compensation over and above the pension due. The purchaser Company should also be held responsible for payment of all such pensions.
- (4) That the change of ownership should not mean any break in the service of the employees. The continuity of service of each employee should be maintained and the length of service should be calculated from the date of his first appointment under either M/s. Eastern Coal Company Ltd. or M/s. Equitable Coal Co. Ltd. or M/s. Horrliadh Coal Co. Ltd.
- (5) That the employees of the above four collieries should not be governed by the service rules of M/s. Karamchand Thapar and Bros. Ltd. The certified Stading Orders in force for the Colliery should only be followed.
- (6) That each individual employee should be provided with a service card by the 15th January, 1955 showing the date of his first appointment, designation and rate. These cards should be signed jointly by the Directors of both the purchasing and selling companies.
- (7) That none of the employees should be transferred from the above four collieries to any other colliery under M/s. Karamchand Thapar and Bros. Ltd. Whenever bonafide transfer shall be effected within these four collieries only.
- (8) That Mr. R. R. Arnold, Manager of the Kankanee Colliery should be immediately removed.”

12. The agreement Exhibit M. 2 in Reference 60 of 1963, which is Exhibit M. 3 in Reference No. 61 of 1963 and is the same contains 5 items. These 5 items are to the following effect:—

- “1. Agreed that the strike notice dated 24th December, 1954 served by the Bihar Colliery Mazdoor Sangh, P.O. Dhanbad, on the management of the Bhowra, Amlabad, Kankanee and Putki Collieries is withdrawn with immediate effect.
2. Agreed that M/s. Bhowra Kankanee Collieries Ltd. will treat as continuous the service of the workmen who have been taken over by them.
3. Agreed that the existing service conditions and facilities will be continued, excepting pension, the responsibility for which will be borne by M/s. Eastern Coal Co. Ltd. according to the existing rules and that the question of payment of pension is now left over for amicable settlement between M/s. Eastern Coal Co. Ltd. and the Union. Agreed also that M/s. Bhowra Kankanee Collieries Limited will have no liability regarding pension for past and future services of workmen.

4. Agreed that the service cards of those workmen whose service records have not been recorded will be prepared by M/s. Eastern Coal Co. Ltd. in co-operation with M/s. Bhowra Kankanee Collieries Ltd. and the Union and that these along with the cards of all other workmen already prepared by M/s. Eastern Coal Co. Ltd. will be accepted by M/s. Bhowra Kankanee Collieries Ltd., and the workman.

5. Agreed that the other demands are dropped by the union."

13. On reading the above two documents, namely, Exhibit M.2(b) and Exhibit M. 2 in Reference 60 of 1963, which are equivalent to Exhibit M. 5 and M. 3 respectively in Reference 61 of 1963 I feel that the demand of the employees contained in item 5 in Exhibit M.2(b)=Exhibit M. 5 "That the employees of the above 4 Collieries should not be governed by the services rules of Messrs. Karamchand Thaper Bros Ltd. (i.e. Exhibit M.) was one of the demands which were dropped by the Union as mentioned in Item No. 5 of Exhibit M. 2=Exhibit M. 3.

14. I, therefore, hold, on the admission of both parties, that on my finding that the demand of non-applicability of the Service Rules Exhibit M. to the employees was given up by the Union, this question cannot be raised, as conceded by the Union, as long as the said Agreement Exhibit M. 2=Ext. M. 3 remains in force, which admittedly is still effective. In this view all the proceedings taken by the Union before the Conciliation Officer and before the Central Government for reference to this Tribunal and, consequently the present references must be held to be invalid and, therefore, I uphold the preliminary objection of the Company and decide the two references in favour of the Company and against the Union by holding that they are invalid.

15. This is the award which I make and submit to the Government of India under Section 15 of the Act.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer.

Dhanbad, the 22nd February, 1965.

[No. 2/23/63-LR.II.]

S.O. 877.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Dutta's Central Kajora Colliery, Post Office Kajoram, District Burdwan and their workmen which was received by the Central Government on the 6th March, 1965.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 47).

REFERENCE NO. 73 OF 1963.

PARTIES:

Employers in relation to Dutta's Central Kajora Colliery P.O. Kajoram Dt. Burdwan.

AND

Their workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.,—Presiding Officer.

APPEARANCES:

For the Employers.—Shri Bhalotia, Director.

For the Workmen.—Sri Keshab Banerjee, General Secretary, Colliery Mazdoor Union.

STATE: West Bengal.

INDUSTRY: Coal.

Dhanbad, the 26th February, 1965.

AWARD

Ministry of Labour and Employment, Government of India, by its Order No. 6/23/63-LR.II dated the 19th September, 1963 referred under Section 10(1)(d) of the Industrial Disputes Act, 1947 an industrial dispute existing between the employers in relation to Dutta's Central Kajora Colliery and their workmen in

respect of the matter specified in the schedule below to this Tribunal for adjudication:

SCHEDULE

"Whether the management of Dutta's Central Kajora Colliery had refused employment to Sarvashree Mohanlal Srivastava, Machine Driver, Guiram Goswami and Shyamapada Ganguly, Pump Khalasis, on or about 12th July 1963; if so, whether the action of the management is legal and justified? If not, to what relief are the workmen entitled?"

2. Shri Bhalotia, Director, appeared for the company and Sri Keshab Banerjee, General Secretary, Colliery Mazdoor Union, appeared for the workman concerned. Both parties filed a joint petition of compromise and prayed that an award be made in terms of the said agreement.

3. According to the agreement, Sri Mohanlal Srivastava, Machine Driver, and, Sri Gulram Goswami, Pump Khalasi, will be reinstated in their former posts or in similar employment without affecting their emoluments. The period of non-employment from 12th July 1963 till the date of their resumption of duties will be treated as leave without wages. They will also be paid an amount of Rs. 275 each as *ex-gratia* payments inclusive of arrear due, if any, and they will join their respective duties by the second week of March, 1965.

4. The above mentioned *ex-gratia* payment of Rs. 275 each to the above two workmen were made on 26th February, 1965, before the Tribunal at Dhanbad.

5. As regards Sri Shyamapada Ganguly, Pump Khalasi, according to the agreement he was to be paid Rs. 800 in full and final settlement of all his claims, over and above all his other legal dues. This payment was also made on 26th February, 1965, before the Tribunal.

6. Thus all the above mentioned three workmen concerned in the reference have now no claims from the company in respect of this reference, and the parties will bear their own costs.

7. I have read and considered the terms of the compromise and think they are fair and reasonable and in the interest of the parties, and, therefore, I accept the same and record the compromise.

8. The aforesaid compromise is marked Annexure 'A' and an award in terms of it, as prayed for by the parties, is made and this compromise is made a part of the award.

9. This is the award which I make and submit to the Government of India under Section 15 of the Act.

DHANBAD,

26th February, 1965.

Sd./- RAJ KISHORE PRASAD,

Presiding Officer,
Central Govt. Industrial Tribunal,
Dhanbad.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL DHANBAD.

IN THE MATTER OF REFERENCE No. 73 OF 1963.

AND

IN THE MATTER OF AN INDUSTRIAL DISPUTE

BETWEEN

Employers in relation to Dutta's Central Kajora Colliery P.O. Kajoragram
(Burdwan)

AND

Their workmen represented by Colliery Mazdoor Union, Bastin Bazar,
Asansol (Burdwan).

Both the parties abovenamed beg to submit that without prejudice to the contention of either party, they have come to an amicable settlement in respect of the above matter on the following terms.

Terms of Settlement.

Reg: (1) Sri Mohanlal Srivastava—Machine Driver.

AND

(ii) Sri Guiram Goswami—Pump Khalasi.

1. The management agrees to re-instate S/Sri Mohanlal Srivastava-Machine Driver and Guiram Goswami—Pump Khalasi in their former posts and services, or in similar employments without affecting their emoluments.

2. The period of their non-employment period from the 12th July, 1963 till the date of their resumption of duties will be treated as leave without wages.

3. They will be paid an amount of Rs. 275 (Rupees Two hundred and seventy-five) only each as *ex-gratia* payments which will include their arrear dues if any.

4. They will join their duties by the second week of March, 1965.

5. The payments as mentioned in para 3 will be made on 23rd February, 1965, at the office of the Tribunal at Dhanbad. Regarding: *Shyamapada Ganguly—Pump Khalasi*.

1. The management will pay Rs. 800 (Rupees Eight hundred) only to Sri Shyamapada Ganguly—Pump Khalasi in full and final settlement of all his claims over and above all his other legal dues.

2. The workman will have no other claims arising out of this reference.

3. The payments per item No. 1 will be made on 23rd February, 1965, at the office of the Tribunal at Dhanbad.

4. The parties will bear their own costs.

The parties therefore pray that your honour will be pleased to accept the terms of the above settlement and pass an award in terms of the above settlement.

And for this act of kindness the petitioners shall ever pray.

HARI PRASAD BHALOTIA,

(Representing Employers).

KESHAB BANERJEE,

(Representing workmen).

26-2-1965.

26-2-1965.

Witness:

1. (Sd) Illegible,

2. (Sd.) Illegible,

Date: 26th February, 1965.

[No. 6/23/63-LR. II.]

S.O. 878.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Sijua colliery of Messrs Tata Iron and Steel Company Limited and their workmen which was received by the Central Government on the 6th March, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

In the matter of a Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 (XIV of 47).

REFERENCE No. 57 OF 1963.

PARTIES:

Employers in relation to the Sijua Colliery of Messrs. Tata Iron and Steel Company Limited.

AND

Their workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L.—*Presiding Officer*.

APPEARANCES:

For the Employers.—Sarvashree S. S. Mukherjee, Advocate, and S. N. Singh, Legal Assistant.

For the Workmen.—Sarvashree D. Narsingh, Advocate, and Shankar Bose, Secretary, and Gokulanand Singh, Treasurer, Colliery Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 22nd February, 1965

AWARD

Ministry of Labour and Employment, by its Order No. 2/35/63-LRII, dated the 5th August 1963, referred under Section 10(1)(d) of the Industrial Disputes Act, 1947 to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the Sijua Colliery of Messrs Tata Iron and Steel Co. Ltd., and their workmen in respect of the matter specified below:

"Whether the dismissal of Shri Sarbanand Singh, Watchman, by the management of the Sijua Colliery of Messrs Tata Iron and Steel Company Limited with effect from the 23rd March 1963 was legal and justified. If not, to what relief is he entitled?"

2. On behalf of the workmen, General Secretary of the Colliery Mazdoor Sangh, filed a written statement of claim on 27th September, 1963. The management also filed a written statement on 3rd October, 1963.

3. The case of the Union was that the domestic enquiry was perfunctory; the concerned workman was not guilty of any misconduct under clause 19(13) of the Standing orders *Exhibit M. 9*; the evidence adduced at the enquiry was unreliable; the concerned workman had no opportunity to place his case before the Enquiry Officer; the disproportionate harsh punishment of dismissal inflicted on the workman concerned, without any regard for his long and blameless service for about 7 years amounts to victimisation on the part of the management; there was no proper compliance with the mandatory provisions of Standing Order No. 20; and, therefore, the dismissal of the workman was illegal and should be set aside.

4. The defence of the management was that the workman concerned was detected involved in money lending with Laloo Mahato, Pump Khalasi, one of the employees of the Colliery, and, for the above misconduct a charge sheet *Exhibit M. 2* was issued and an enquiry was held at which the concerned workman was present and he was given full opportunity to cross examine the witnesses and also to defend himself and accordingly he also examined a defence witness and as a result of the departmental enquiry an enquiry report was submitted finding the workman concerned guilty, and, therefore, he was dismissed.

5. The enquiry was held on 29th January, 1963, by M.W. 1 at which Laloo Mahato, complainant, whose complaint dated 17th January, 1963 is *Exhibit M.*, was examined (*Exhibit M. 4*) and three other witnesses of the company, namely, Khelu Mahato, *Exhibit M. 5*, Shri B. S. Rao, *Exhibit M. 6* and Shri Chowla *Exhibit M. 7* were examined and all these witnesses were cross-examined by the workman concerned. The statement of the concerned workman was recorded on 29th January, 1963 *Exhibit M. 8* and on 30th January, 1963, the concerned workman examined a defence witness, R. N. Singh *Exhibit M. 9*, and, thereafter, the Enquiry Officer M.W. 1 submitted his Enquiry Report *Exhibit M. 10* on 4th February, 1963 finding that the charge dated 18/19 January, 1963 *Exhibit M. 2* was made out and that both the concerned workmen were guilty but Laloo Mahato was equally guilty for borrowing money. In my opinion, therefore, the domestic enquiry cannot be challenged on any ground of irregularity or on the ground of violation of any principle of natural justice.

6. There is, however, one point of law, which has been raised by Sri D. Narsingh, Advocate, appearing on behalf of the workman concerned, and if it is correct in law, then the charge and the Enquiry Officer's finding the concerned workman guilty under Standing Order 19(13) were all illegal and not supported by the Standing Orders *Exhibit M. 9*. Sri Narsingh's contention is that the concerned workman is a watchman, whereas, Laloo, the complainant, who is alleged to have borrowed money from the concerned workman was a Pump Khalasi, and, therefore, both are subordinate employees.

7. Let us, therefore, examine how far this contention is correct.

Standing Order 19(13) Exhibit M. 9 is in these words:

The following shall denote misconduct:

(13) Lending money to or borrowing money from subordinate employees".

The word 'employee' has been defined under Standing Order 1(a) in the following terms:

"Employees" means all work-people male or female employed above ground or underground either directly by the Company or under a Contractor or Contractors except those who come within the category of Officers of the Company or those whose basic pay exceeds Rs. 300 per month."

Reading Standing Order 1(a) alongside Standing Order 19(13) it is plain that unless the employee to whom the money is lent or from whom the money is borrowed is subordinate employee *vis-a-vis* the other employee, there can be no misconduct. In other words, the employee who is guilty under Standing Order No. 19(13) is the superior employee who lends money to or borrows money from a subordinate employee, and not *vice versa*. The correct interpretation, according to me, of Standing Order 19(13) is that a superior employee of the Company is prohibited from lending money to or borrowing money from a subordinate employee of the Company. It is not necessary for the application of Standing Order 19(13) that the subordinate employee of the Company who borrows money must necessarily be subordinate to the superior employee. Both must be employees of the Company and the borrower must be a subordinate employee of the Company and the lender a superior employee of the company. In status and in point of service the borrower must have a subordinate rank and the lender a superior rank. Money lending between employees of equal rank or status or between subordinate employees themselves is not prohibited by Standing Order 19(13).

It must, therefore, be established that the lender is superior in status or rank in service to the borrower. Here there is not an iota of evidence to prove that Laloo, being Pump Khalasi, was holding a subordinate rank to that of the concerned workman, who was Watchman. I cannot on mere imagination hold that a watchman is superior to that of a Pump Khalasi and not of equal status. To me it appears that both were of equal status and, therefore, both were subordinate employees of the Company.

8. On behalf of the Company reference was made, in order to show that a watchman is superior to a Pump Khalasi and of higher status, to the Award of the All India Industrial Tribunal (Colliery Disputes) which is known as *Majumdar Award* wherein the Job Description under Appendix XII of a Pump Khalasi is given in Item (150) and his Category is given as Category III. It was contended that a Pump Khalasi is a weekly-paid employee, who is paid at the rate of Rs. 1.19 per day which would be a little more than Rs. 30 per month rising upto about Rs. 45/- only. The Majumdar Tribunal omitted to prescribe any scale for Watchman and others, such as Chaprasis and peons, and, therefore, L.A.T. fixed the scale for Night Watchman at Rs. 28-1-40. This will appear from Das Gupta Award, under Issue No. 10, Pages 54-55. It was, however, contended that as far as the present company is concerned it is paying watchman at present Rs. 30-1-50. Relying on these facts, it was contended by Sri S. N. Singh on behalf of the company that watchman was superior to that of a Pump Khalasi. I am afraid I am not impressed with this argument, because I find that although watchman is a monthly paid employee he gets Rs. 30/- per month rising to Rs. 50/-, whereas, Pump Khalasi under category III, who is a weekly-paid employee, and gets Rs. 1.19 per day, gets his monthly wages of a little more than Rs. 30/- per month. although the maximum is a little less than Rs. 50/-. From this, it cannot be said that a Watchman is superior in category to that of a Pump Khalasi. Unfortunately, no evidence whatsoever was placed before the Tribunal to show that a Watchman is superior in status to that of a Pump Khalasi and if so, in what respect and how. I cannot find sufficient ground to persuade myself to take a view contrary to what I have held earlier that both watchman and Pump Khalasi are of subordinate employee of the Company and of equal status.

9. In this view, in my opinion, there has been no violation of Standing Order 19(13). This aspect of the case has been completely ignored and side tracked by the Enquiry Officer because probably he did not appreciate it or he felt difficulty in meeting it. For these reasons, the charge and the enquiry must be considered to be illegal.

10. Sri S. S. Mukherjee, Advocate, who appeared for the management, in reply, relied on the decision of the Supreme Court in *Digwadih Colliery Vs. Ramjee Singh*, 1964 II, L.L.J 143, in which it was held that what is prohibited is lending money to, or borrowing money from, a subordinate employee, and that a single transaction of lending money or borrowing money would fall within the terms of the relevant clause of the Standing Orders. This position has been accepted by Sri D. Narsingh also. The only question is whether, on the facts of the present case, the concerned workman, could be considered guilty under Standing Order 19(13). In my opinion, he is not.

11. For these reasons, I would set aside the dismissal of the concerned workman and reinstate him to his former job with full back wages.

12. In view of the above decision, it is not necessary to decide the other points raised by Sri Narsingh regarding victimisation or basic error, or non-compliance, of Standing Order No. 28, but I may observe, that if I were to express an opinion on these points, I would have rejected these contentions as without substance.

13. The result, therefore, is that the reference is answered in favour of the workman concerned by holding that the dismissal of Sri Sarbanand Singh, watchman, by the management i.e. Tata Iron and Steel Co. Ltd. with effect from 23rd March, 1963 was illegal and unjustified, and, therefore, he was entitled to be reinstated to his previous job with full back wages with effect from 23rd March, 1963 till the date of his reinstatement with continuity of service and consequent benefits.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer,
Central Govt. Industrial Tribunal,
Dhanbad

DHANBAD,

Dated the 22nd February, 1965.

[No. 2/35/63-LRII.]

New Delhi, the 11th March 1965

S.O. 879.—In exercise of the powers conferred by sub-section (2) of section 33C of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 1188, dated the 15th April, 1963, namely:—

In the Table annexed to the said notification—

(i) in column 3 against serial No. 4, for the entry "The State of Madhya Pradesh", the entry "The State of Madhya Pradesh excluding the revenue districts of Raipur, Durg, Bastar, Bilaspur, Raigarh, Surguja, Jabalpur, Balaghat, Chhindwara, Sagar, Narsinghpur, Seoni, Damoh, Mandla, Rewa, Sidhi, Satna, Panna, Chhatarpur, Tikamgarh and Shahdol" shall be substituted;

(ii) after serial No. 4, the following serial numbers and the entries shall be inserted namely:—

- | | |
|--|---|
| <p>4A Labour Court, Raipur constituted under section 7 of the said Act by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 437 dated 27th January 1965.</p> | <p>The revenue districts of Raipur, Durg, Bastar, Bilaspur, Raigarh and Surguja in the State of Madhya Pradesh.</p> |
| <p>4B Labour Court, Jabalpur, constituted under section 7 of the said Act by the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 441 dated 29th January 1965.</p> | <p>The revenue districts of Jabalpur, Balaghat, Chhindwara, Sagar, Narsinghpur, Seoni, Damoh, Mandla, Rewa, Sidhi, Satna, Panna, Chhatarpur, Tikamgarh and Shahdol in the State of Madhya Pradesh."</p> |

[No. F.1/51/64-LR.I.]

ORDERS

New Delhi, the 9th March 1965

S.O. 880.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pure Bhaggatdih Colliery, Post Office Jharia, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Pure Bhaggatdih Colliery were justified in terminating the services of Shri Rajendra Prasad, Overman, with effect from the 26th September, 1964? If not, to what relief is the workman entitled?

[No. 2/150/64-LR.II.]

New Delhi, the 10th March 1965

S.O. 881.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bokaro Colliery of the National Coal Development Corporation Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Taking into consideration the nature of work performed by Shri Sudhangshu Kumar Bhattacharjee, Assistant Magazine Clerk of the central magazine store, whether the management of Bokaro Colliery of the National Coal Development Corporation Limited is justified in placing him in the grade of Rs. 105—135 (revised)? If not, to what relief is he entitled?

[No. 2/12/63-LR.II.]

New Delhi, the 11th March 1965

S.O. 882.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bansdeopur Colliery of Messrs New Bansdeopur Coal Company (Private) Limited, Post Office Kusunda, District Dhanbad, and their Managing Agents, Messrs Amritlal Ojha and Company (Private) Limited, Calcutta, of the one part and their workmen of the other part, in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of the Bansdeopur Colliery of Messrs New Bansdeopur Coal Company (Private) Limited and their Managing Agents, Messrs Amritlal Ojha and Company (Private) Limited in suspending Shri Nibaran Chandra Kumar, Mining Sirdar, with effect from the 30th November, 1964, and

further dismissing him from service with effect from the 21st December, 1964, is justified? If not, to what relief is the workman entitled?

[No. 2/20/65-LR.II.]

H. C. MANGHANI, Under Secy.

New Delhi, the 9th March 1965

S.O. 883.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following corrigendum made under rule 28 of the Industrial Disputes (Central) Rules, 1957, by the Central Government Industrial Tribunal, Calcutta, in the award made in the industrial dispute between the employers in relation to the Chipping and Painting Workers in the Calcutta Port and their workmen and published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 141, dated the 2nd January, 1965, namely:—

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 33 of 1964

In my award dated 26th December 1964 in the above case, published at page 150 in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 9th January, 1965, some mistakes have crept in, due to accidental slip. Hence, under Rule 28 of the Industrial Disputes (Central) Rules, 1957, I make the following corrections in the said award:—

I. Under the heading "Appearances":—

For "On behalf of Employers Shri B. P. Dutta,"

Read On behalf of Employers:—

1. Shri B. P. Dutta—for Calcutta Dock Labour Board.
2. Shri N. N. Mukherjee—for Calcutta Chipping, Painting and Ship's Labour Contractors Association and for Messrs M. Hossain.
3. Shri A. H. Zulfikar Haider—for Messrs Haider Brothers.
4. Shri S. Chakraborty—for Messrs Marine Suppliers.
5. Shri P. K. Sanyal, Advocate—for Messrs Eastern Company (Private) Limited.

II. In the second line of Para 5,

For "Calcutta Port Trust"

Read "Calcutta Dock Labour Board".

Dated, 12th February, 1965.

Sd./- L. P. DAVE,
Presiding Officer.

[No. 28/7/63-LR.IV.]

New Delhi, the 10th March 1965

S.O. 884.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in respect of an industrial dispute between the employers in relation to the Bank of India Limited and their workmen which was received in this Ministry on the 8th March, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. C.G.I.T. 21 of 1964

Employers in relation to the Bank of India Ltd., Bombay.

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Bank of India Ltd.: Shri N. V. Phadke, Advocate with Shri S. R. Bhise, Assistant General Manager and Shri W. A. Rego, Personnel Manager, Bank of India Ltd.

For the All India Bank Employees' Association: Shri K. K. Mundul, Vice-President with Shri V. M. Chitnis, General Secretary of All India Bank Employees' Association.

For the All India Bank Employees' Federation: Shri C. L. Dudhia, President with Shri V. N. Sekheri and Shri Mahesh Joshi.

Dated at Bombay, the 2nd day of March 1965

INDUSTRY: Banking.

STATE: Maharashtra.

AWARD

The Central Government, by the Ministry of Labour & Employment's Order No. 51(2)/64-LR.IV, dated 3rd February 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute between the parties above named in respect of the subject matters specified in the following schedule to the said order to me for adjudication:

SCHEDULE

"Whether having regard to the directions contained in the award, dated the 21st July, 1962 of the National Industrial Tribunal (Bank Disputes), Bombay published with the notification of the Government of India in the Ministry of Labour & Employment No. S.O. 2603, dated the 7th August 1962, the management of the Bank of India was justified in declaring bonus for 1962 at the rate of three months' basic pay or 25% of the annual basic pay in case of the workmen of the Bank? If not, to what quantum of bonus the workmen are entitled?"

2. After the usual notices were issued and the parties had filed their written statements in response thereto, at the adjourned hearing of this dispute on 24th February, 1965 the representatives of the parties stated that they had reached an over-all settlement covering the disputes for payment of additional bonus or any bonus for any or all of the years 1956 to 1963 (both inclusive) in terms recorded in two separate agreements both dated 15th February, 1965, reached between the parties before Shri S. M. Dikhale, Regional Labour Commissioner (Central), Bombay. The Bank by its application, dated 23rd February, 1965, which was filed on that very day, has stated that the workmen's demand for bonus for the year 1962, pending adjudication in this reference, is covered by the aforesaid settlement and, therefore, prayed that the settlement be taken on record and an award be made in terms thereof. The Bank has along with this application filed copies of the two agreements of Settlement, dated 15th February, 1965 separately entered into with the All India Bank Employees' Association (hereinafter referred to as the 'Association') and the All India Bank Employees' Federation (hereinafter referred to as the 'Federation'). The Federation and the Association have also filed separate applications, dated 16th June, 1965 and 23rd February, 1965 respectively, enclosing copies of their respective memoranda of settlement and have prayed that the reference be disposed of as having been settled and no longer subsisting.

3. I am satisfied that the settlement reached is fair and reasonable and in the interest of industrial peace.

I, therefore, accept the settlement and make an award in respect of the dispute for bonus for the year 1962 in terms of the two settlements, dated 15th February, 1965, copies of which along with the Bank's application, dated 23rd February, 1965, the Federation's application, dated 16th February, 1965 and the Association's application, dated 23rd February 1965 are annexed hereto and marked Annexure 'A' collectively. In the result, the reference is disposed of as having been settled and no longer subsisting in terms recorded in the two common agreements, dated 15th February, 1965, as far as they cover the demand for bonus for the year 1962.

4. No order as to costs.

(Sd.) SALIM M. MERCHANT,

Presiding Officer.

ANNEXURE A

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. C.G.I.T. 21 OF 1964

In the matter of an Industrial Dispute *vide* Government of India, Ministry of Labour and Employment Order No. 51(2)/64-LRIV, dated 3rd February, 1964.

BETWEEN

The Employers in relation to the Bank of India Ltd. having its Central and Registered Office at Mahatma Gandhi Road, Fort, Bombay.

AND

Their Workmen.

Application on behalf of the Bank of India Ltd., for filing two settlements both dated 15th February, 1965 between (i) The Bank of India Ltd. and the All India Bank Employees Association and the Federation of the Bank of India Staff Unions and (ii) The Bank of India Ltd. and The All India Bank Employees Federation.

1. The above mentioned dispute pending adjudication before this Hon'ble Tribunal has now been amicably settled between all the parties to the dispute.

2. A Settlement dated 15th February, 1965 between the Management of the Bank of India Ltd. and its Workmen represented by the All India Bank Employees' Association and the Federation of Bank of India Staff Unions has been entered into before Shri S. M. Dikhale, Regional Labour Commissioner (Central), Bombay, in respect of the payment of additional bonus for the years 1956 to 1963 (both inclusive) in full and final settlement of the claims of the Workmen for additional bonus for these years. A copy of the Memorandum of Settlement is annexed hereto as **Ex. I.**

3. Also a similar settlement has been entered into between the Bank of India Limited and the All India Bank Employees Federation on 15th February, 1965 before Shri S. M. Dikhale, Regional Labour Commissioner (Central), Bombay. A copy of the said Memorandum of Settlement is annexed hereto as **Ex. II.**

4. It is respectfully submitted that the Workmen's demand for bonus for the year 1962 pending adjudication before this Hon'ble Tribunal is covered by the aforesaid Settlements and it is prayed that the said settlements may be taken on the record of the present reference pending before this Hon'ble tribunal.

5. It is therefore prayed that in the aforesaid premises this Hon'ble Tribunal may be pleased to make an Award in terms of the said settlement.

BOMBAY;

Dated this 23rd day of February, 1965.

for, the Bank of India Ltd.,
(Sd.) Illegible,
Asstt. General Manager.

EXHIBIT I

Memo of Settlement

Representing Employers: 1. Shri S. R. Bhise, Assistant General, Manager, The Bank of India Ltd., Bombay.

2. Shri W. A. Rego, Personnel Manager, The Bank of India Ltd., Bombay.

Representing Employees: 1. Shri K. K. Mundul, Vice President, All India Bank Employees Association, Bombay.

2. Shri V. M. Chitnis, General Secretary, Federation of Bank of India Staff Union, Bombay.

Short Recital of the Case

The claims of the Workmen represented by the All India Bank Employees' Association and the Federation of the Bank of India Staff Unions (of which the Bank of India Staff Union, Madras is an affiliated Unit) in respect of additional

Bonus to the workmen of the Bank of India Limited for the years 1956 to 1961 are pending consideration before the Chief Labour Commissioner (Central), New Delhi. The Government of India by its Order dated 3rd February 1964, referred the dispute regarding bonus to the workmen for the year 1962 to the Central Government Industrial Tribunal at Bombay, which is pending adjudication. The Employees of the Bank have been paid certain bonus for the year 1963 but a demand has been made for the payment of additional bonus.

The parties therefore had several meetings between themselves with a view to arriving at an overall settlement with regard to the claims for additional bonus for the years 1956 to 1963. However, the parties could not compose their differences and therefore the Federation of Bank of India Staff Unions approached the Regional Labour Commissioner (Central), Bombay on 25th January, 1965 for his intervention in the matter. Thereafter three joint meetings were held and subsequently the matter was taken up in conciliation on 15th February, 1965. After prolonged discussions with a view to ensure harmonious relationship between the management and the employees leading to greater efficiency and resulting in benefit to both the parties, the matter was settled amicably on the following terms.

Terms of Settlement

1. It is agreed that this settlement has been entered into without prejudice to the Bank's contentions at law. It is further agreed that if in future a dispute is raised by any of the employees of the Bank with regard to the payment of additional or any bonus for any or all of the years 1956 to 1963 (both inclusive) it shall be open to the Bank to resist such a claim or claims on such grounds as are open to it including relevant provisions of the Bonus Award given by Mr. Justice K. T. Desai or the Banking Companies Act or any other law by which the matter may be governed.

2. The Bank agrees to pay in full and final settlement of all such claims for bonus an *ad hoc* sum of Rs. 16,61,490.40 (Rupees sixteen lakhs sixty one thousand four hundred ninety and forty paise) by way of additional Bonus for the years 1956 to 1963 (both inclusive) in such a way that each employee (whether workman or non-workman) in India and in service of the Bank during the relevant years shall receive an additional bonus of an amount equal to Ten (10%) per cent of the annual bonus already paid to him for each of the aforesaid years, viz. 1956 to 1963 (both inclusive) or for such of them during which he may have been in the service of the Bank, PROVIDED that in case any employee who at the date of the settlement is no longer in the Bank's service such payment shall be effected to him or if he should have died earlier, to his legal representative/s, only on such employee or his legal representative/s making an application to the Bank within 12 (twelve) months from the date of this settlement. The Bank will be at liberty to refuse to entertain any claim received on or after 15th February, 1966. It is clearly understood that the Jubilee Bonus paid in the year 1956 is not to be taken into account for any of the purposes of this settlement, such Jubilee bonus having been paid in addition to the annual bonus to celebrate a special occasion.

3. The disbursement of additional bonus as per this settlement shall be made as expeditiously as possible but in any event not later than 15th March, 1965.

4. The parties agree that the payment under this settlement shall not be treated as a precedent or taken as the basis or govern the principle for the determination of bonus in future but nevertheless this settlement shall be final and binding on the parties as regards the amount of bonus payable for the years 1956 to 1963 (both inclusive), qualifications for eligibility and procedure as set out hereinabove.

5. The parties hereby undertake to file an application on or before 24th February, 1965 before the Central Government Industrial Tribunal, Bombay for disposal of the reference No. C.G.I.T. 21 of 1964 relating to the bonus for the year 1962 in terms of the settlement herein.

1. (Sd.) K. K. MUNDUL
2. (Sd.) V. M. CHITNIS

1. (Sd.) S. R. BHISE
2. (Sd.) W. A. REGO

Before me,
(Sd.) S. M. DIKHALE,
Regional Labour Commissioner (Central),
Bombay.

Witnesses:

(1) (Sd.)
(2) (Sd.)

BOMBAY;

Dated the 15th February, 1965.

EXHIBIT II

Memorandum of Settlement

Representing Employers: (1) Shri S. R. Bhlse. Asstt. General Manager, the Bank of India Ltd., Bombay.

(2) Shri W. A. Rego, Personnel Manager, The Bank of India Ltd., Bombay.

Representing Employees: (1) Shri V. N. Sekhri, General Secretary, All India Bank Employees Federation, Kanpur.

(2) Shri Mahesh Joshi, General Secretary, Association of Bank Employees, Bombay.

Short Recital of the Case

The claims of the workmen represented by the All India Bank Employees Federation in respect of additional Bonus to the workmen of the Bank of India Ltd., for the years 1956 to 1961 are pending consideration before the Chief Labour Commissioner (Central), New Delhi. The Government of India by its Order dated the 3rd February, 1964 referred the dispute regarding bonus to the workmen for the year 1962 to the Central Government Industrial Tribunal at Bombay, which is pending adjudication. The employees of the Bank have been paid certain bonus for the year 1963 but a demand has been made for payment of the additional bonus.

The parties had therefore mutual discussions with a view to arriving at an overall settlement with regard to the claims for additional bonus for the years 1956 to 1963. However, the parties could not compose their differences and as such the intervention of the Regional Labour Commissioner (Central), Bombay was sought in the matter. Accordingly the matter was taken up in Conciliation on 15th February, 1965. After prolonged discussions with a view to ensure harmonious relationship between the Management and the employees leading to greater efficiency and resulting in benefit to both the parties, the matter was settled amicably on the following terms.

Terms of Settlement

1. It is agreed that this Settlement has been entered into without prejudice to the Bank's contentions at law. It is further agreed that if in future a dispute is raised by any of the employees of the Bank with regard to the payment of additional or any bonus for any or all of the years 1956 to 1963 (both inclusive) it shall be open to the Bank to resist such a claim or claims on such grounds as are open to it including relevant provisions of the Bonus Award given by Mr. Justice K. T. Desai or the Banking Companies Act or any other law by which the matter may be governed.

2. The Bank agrees to pay in full and final settlement of all such claims for bonus an *ad hoc* sum of Rs. 16,61,490.40 P. (Rupees Sixteen lacks sixtyone thousand four hundred ninety and paise forty only) by way of additional Bonus for the years 1956 to 1963 (both inclusive) in such a way that each employee (whether workman or non-workman) in India and in service of the Bank during the relevant years shall receive an additional bonus of an amount equal to ten per cent of the annual bonus already paid to him for each of the aforesaid years viz. 1956 to 1963 (both inclusive) or for such of them during which he may have been in the service of the Bank PROVIDED that in case any employee who at the date of the settlement is no longer in the Bank's service such payment shall be effected to him or if he should have died earlier, to his legal representative(s), only on such employee or his legal representative(s) making an application to the Bank within twelve months from the date of this settlement. The Bank will be at liberty to refuse to entertain any claim received on or after 15th February, 1966. It is clearly understood that the Jubilee Bonus paid in the year 1958 is not to be taken into account for any of the purposes of this settlement, such Jubilee bonus having been paid in addition to the annual bonus to celebrate a special occasion.

3. The disbursement of additional bonus as per this settlement shall be made as expeditiously as possible but in any event not later than 15th March, 1965.

4. The parties agree that the payment under this settlement shall not be treated as a precedent or taken as the basis or govern the principle for the determination of bonus in future but nevertheless this settlement shall be final and binding on the parties as regards the amount of bonus payable for the years 1956 to 1963

(both inclusive), qualifications for eligibility and procedure as set out hereinabove.

5. The parties hereby undertake to file an application on or before 24th February, 1965 before the Central Government Industrial Tribunal, Bombay for disposal of the reference No. CGIT 21 of 1964 relating to the Bonus for the year 1962 in terms of the settlement herein.

Signature of Parties

1. (Sd.) S. R. BHISE
2. (Sd.) W. A. REGO

1. (Sd.) V. N. SEKHRI
2. (Sd.) MAHESH JOSHI

Before me,

(Sd.) S. M. DIKHALE,
Regional Labour Commissioner (C),
Bombay

Witnesses:

1. (Sd.) G. L. DAS.
2. (Sd.) S. K. PAWAR

BOMBAY;

Dated the 15th February, 1965.

ANNEXURE A

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT BOMBAY**

REFERENCE No. C.G.I.T. 21 OF 1964

In the matter of an Industrial Dispute *vide* Government of India Ministry of Labour and Employment Order No. 51(2)/64-LRIV, dated 3rd February, 1964.

BETWEEN

The Employers in relation to the Bank of India Ltd. having its Central and Registered Office at Mahatma Gandhi Road, Fort, Bombay,

AND

Their Workmen.

Application on behalf of the All India Bank Employees Association hereinafter referred to as the "Association" for filing the settlement dated 15th February, 1965 entered into between the The Bank of India Limited and the All India Bank Employees Association and Federation of The Bank of India Staff Unions.

1. The abovementioned dispute pending adjudication before this Hon'ble Tribunal has now been amicably settled between the Bank of India Ltd. and All India Bank Employees Association (to which the U.P. Bank Employees' Union is affiliated) together with Federation of Bank of India Staff Unions (of which the Bank of India Staff Union, Madras, is an affiliated Unit). Accordingly the Federation of Bank of India Staff Unions is also a signatory to this application.

2. A Settlement dated 15th February, 1965 between the Management of the Bank of India Ltd. and the All India Bank Employees Association and Federation of Bank of India Staff Unions has been entered into before Shri S. M. Dikhale, Regional Labour Commissioner (Central) Bombay, in respect of the payment of additional Bonus for the years 1956-1963 (both inclusive) in full and final settlement of the claims of the workmen for additional bonus for these years. A copy of the said Memorandum of Settlement dated 15th February, 1965 is annexed hereto and marked Ex. I.

3. It is respectfully submitted that the workmen's demand for Bonus for the year 1962 pending adjudication before the Hon'ble Tribunal is covered by the aforesaid Settlement and it is prayed that the said Settlement be taken on the record of the present reference pending before this Hon'ble Tribunal.

4. It is therefore prayed that in the aforesaid premises that this Hon'ble Tribunal may be pleased to dispose of this reference as having been settled and no longer surviving

BOMBAY;

Dated this 23rd day of February, 1965.

for, All India Bank Employees Association,
(Sd.) K. K. MUNDUL,
Vice President

for, Federation of Bank of India Staff Unions,
(Sd.) V. M. CHITNIS,
General Secretary

ANNEXURE "A"

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT BOMBAY**

REFERENCE No. C.G.I.T. 21 OF 1964

In the matter of an Industrial Dispute *vide* Government of India Ministry of Labour and Employment Order No. 51(2)/64-LRIV, dated 3rd February, 1964.

BETWEEN

The Employers in relation to the Bank of India Ltd. having its Central and Registered Office at Mahatma Gandhi Road, Fort, Bombay.

AND

Their Workmen.

Application on behalf of the All India Bank Employees Federation for filing the settlement dated 15th February, 1965 between the Bank of India Limited and the All India Bank Employees Federation.

1. The abovementioned dispute pending adjudication before this Hon'ble Tribunal has now been amicably settled between this Federation and the Bank of India Ltd.

2. A Settlement dated 15th February, 1965 between the Management of the Bank of India Ltd. and the All India Bank Employees Federation has been entered into before Shri S. M. Dikhale, Regional Labour Commissioner (Central) Bombay, in respect of the payment of additional Bonus for the years 1956-1963 (both inclusive) in full and final settlement of the claims of the Workmen for additional Bonus for these years. A copy of the said Memorandum of Settlement dated 15th February, 1965 is annexed hereto and marked Ex. I.

3. It is respectfully submitted that the Workmen's demand for Bonus for the year 1962 pending adjudication before the Hon'ble Tribunal is covered by the aforesaid Settlement and it is prayed that the said Settlement be taken on the record of the present reference pending before this Hon'ble Tribunal.

4. It is therefore prayed that in the aforesaid premises, that this Hon'ble Tribunal may be pleased to dispose of this reference as having been settled and no longer surviving.

BOMBAY,

Dated this 16th day of February, 1965.

for, the All India Bank Employees' Federation,
(Sd.) V. N. SEKHRI,
General Secretary
[No. F.51(2)/64-LRIV.]

New Delhi, the 11th March 1965

S.O. 885.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in respect of an industrial dispute between the employers in relation to the Bank of Maharashtra Limited and their workmen which was received by the Central Government on the 8th March, 1965.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

REFERENCE No. CGIT-18 OF 1964

Employers in relation to the Bank of Maharashtra Ltd.,

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Bank of Maharashtra Ltd: Shri R. Setlur, Solicitor instructed by the Labour Secretariat of Banks in India.

For the Workmen: Shri K. K. Mundul, Vice-President, All India Bank Employees' Association with Shri S. P. Dhodapakar, General Secretary and Shri S. R. Limiye, Joint Secretary on behalf of the Bank of Maharashtra Employees' Union.

Shri C. L. Dudhia, President, All India Bank Employees' Federation.

Dated at Bombay the 2nd day of March 1965

INDUSTRY: Banking.

STATE: Maharashtra.

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 51(3)/64-LRIV dated 3rd February 1964, made in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947) was pleased to refer the industrial dispute between the parties above-named in respect of the subject matters specified in the following schedule to the said order to me for adjudication:

SCHEDULE

"Whether having regard to the directions contained in the award dated the 21st July 1962 of the National Industrial Tribunal (Bank Disputes), Bombay published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2803, dated the 7th August, 1962, the management of the Bank of Maharashtra Limited was justified in granting bonus to their workmen for the year 1962 at the rate of 10 per cent of their annual basic pay? If not, to what quantum of bonus are the workmen entitled?"

2. After the usual notices were issued and the parties had filed their written statements in response thereto, at the adjourned hearing of this dispute on 24th February 1964, the All India Bank Employees' Association, (hereinafter called 'the Association') by its application dated 3rd February 1965 stated that the dispute had been settled in terms of settlement reached between the parties on the 22nd of January 1965 and prayed that this reference may be disposed of as settled. A copy of the said application of the Association with a copy of the memorandum of settlement dated 22nd day of January 1965 is annexed hereto and marked annexure 'A'. The Bank of Maharashtra Limited (hereinafter called the Bank) by its application dated 30th January 1965, has stated that the Bank and the Bank of Maharashtra Employees' Union, Bombay, which is affiliated to this Association and which represents the workmen of this Bank and arrived at a settlement in respect of the additional bonus for the years 1956-63 and also for the bonus for the year 1964. Under the terms of settlement the Bank has agreed to pay additional bonus for the year 1962, amounting to Rs. 96,514 constituting 40 per cent additional bonus payable to the amount already paid.

3. I am satisfied that the terms of the settlement are fair and reasonable and in the interest of industrial peace. I, therefore accept the settlement and make an award in respect of the dispute for bonus for the year 1962 in terms recorded in the agreement of settlement dated 22nd January 1965. In the result, this reference is disposed of as having been settled in terms recorded therein in the

said agreement of settlement dated 22nd January 1965 as far as they concern the demand for bonus for the year 1962.

4. No order as to costs.

(Sd.) SALIM M. MERCHANT, Presiding Officer.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT BOMBAY

REFERENCE No. CGIT-18 OF 1964

BETWEEN

The Management of Bank of Maharashtra Ltd. with its Head Office at 1177,
Budhwar Peth, Poona-2

AND

Their workmen represented by The All India Bank Employees Association,
710, Ballimaran, Chandni Chowk, Delhi-6.

Application for disposal of the reference in
terms of settlement.

May it please the Hon'ble Tribunal,

The applicants herein, the All India Bank Employees' Association most respectfully state:—

1. That the Association represents the workmen of the Bank through its constituents, namely, the following Trade Unions in Maharashtra State:—

- (a) Bank of Maharashtra Employees' Union, Bombay,
- (b) Bank of Maharashtra Employees' Association, Nagpur,
- (c) Bank Employees' Union, Kolhapur,
- (d) Poona Bank Employees' Association, Poona,

and through the following state-wide Trade Unions:—

- (e) Andhra Pradesh Bank Employees' Federation, Hyderabad,
- (f) Madhya Pradesh Bank Employees Association, Raipur,
- (g) Mysore State Bank Employees' Federation, Bangalore.

2. That settlement has been reached in respect of the claims of the employees for the payment of the additional Bonus for the years 1956—1963 and in respect of Bonus for the year 1964 through one of the constituent Units of the applicant Association, namely, The Bank of Maharashtra Employees' Union, Bombay.

3. That the said settlement is annexed to this application and marked Exhibit "A".

4. That in consideration of the management of the Bank of Maharashtra Ltd., which Bank during the years 1956 to 1964, was at first classified as a "C" Class Bank and subsequently as a "B" Class Bank as per the Classification of Banks in the Bank Awards *having agreed* to pay on an *ad hoc* basis additional Bonus in full and final settlement and also settle Bonus for the year 1964, the workmen have agreed to accept a sum of Rs. 96,514/- (Rupees Ninety-six thousand five hundred fourteen only) as additional Bonus for the year 1962, to which year the present dispute refers. The said sum of Rs. 96,514/- represents 46 per cent additional Bonus for the year 1962 in addition to the amount already paid to the employees.

5. That the settlement relating to 1964 was reached on the basis of the profits for the year 1964 as stated in the Statement Exhibit "B" annexed hereto, and the employees have agreed to accept in full and final settlement of their claims for Bonus for the year 1964, the amount set out in the said Exhibit "A".

6. That the dispute pending adjudication before the Hon'ble Tribunal in respect of payment of the additional Bonus for the year 1962 thus stands settled in the terms of the said settlement, Exhibit "A".

7. The Association therefore prays that this Hon'ble Tribunal be pleased to decide the dispute as settled in terms of the said settlement Exhibit "A" and accordingly direct that no other orders are necessary.

Signed on this 3rd day of February, 1965, at Bombay.

For and on behalf of

ALL INDIA BANK EMPLOYEES' ASSOCIATION,
K. K. MUNDUL, Vice-President.

Memorandum of Settlement arrived at by and between the Bank of Maharashtra Limited, Poona, and the Bank of Maharashtra Employees' Union, Bombay, in the Matter of the Claim for Additional Bonus for the years 1956 to 1963 and Bonus for the year 1964

PRESENT:

For the Bank:

(1) Shri C. V. Joag, General Manager.

For the Union:

(1) Shri S. P. Dhodapkar, General Secretary, and

(2) Shri S. R. Limaye, Joint Secretary.

Short Recital of the Case

The claims as raised by the Bank of Maharashtra Employees Union, Bombay, regarding the quantum of additional Bonus payable to the employees of the Bank of Maharashtra Ltd., for the years 1956 to 1961 are pending consideration before the Chief Labour Commissioner, (Central), New Delhi. A dispute with regard to the quantum of bonus for the year 1962 has been referred by the Central Government to the Central Government Industrial Tribunal, Bombay, and is pending adjudication. The Union has also disputed the quantum of bonus paid for the year 1963, and has claimed that the employees are entitled to more by way of Bonus than what has been paid to them. The Union has also placed its claim for Bonus for the year 1964 which has now fallen due. The parties have felt that the dispute relating to Bonus for the years 1956 to 1963 and 1964 should be amicably settled in order to promote cordial relations between the Bank and its employees. With this end in view discussions were held between the representatives of the Bank and the Union. The parties have entered into a settlement as under on an *ad hoc* basis:

Terms of Settlement

1. It is agreed by both the parties that there is no claim for the years 1956, 1957 and 1958 and that the Bank is not required to pay by way of additional Bonus for these years. In respect of the years 1959, 1960, 1961, 1962 and 1963, the Bank agrees to pay the following amount by way of additional Bonus, in addition to what has already been paid to employees as usual Bonus relating to the afore-said years:

Year	Bonus already paid	Additional Bonus payable as per this settlement.	Percentage of Additional Bonus payable to the amount already paid.
1956	Rs. 55,724	Nil	Nil
1957	Rs. 66,039	Nil	Nil
1958	Rs. 1,08,661	Nil	Nil
1959	Rs. 97,450	Rs. 14,617	15%
1960	Rs. 1,60,968	Rs. 40,242	25%
1961	Rs. 2,13,305	Rs. 1,23,717	58%
1962	Rs. 2,09,813	Rs. 96,514	46%
1963	Rs. 2,51,072	Rs. 25,107	10%
Aggregate amount payable.		Rs. 3,00,197	

In respect of the year 1964 the Bank agrees to pay Bonus at 12% of the basic pay, special allowance, and officiating allowance admissible under the Award, if any, earned during the year 1964, to all the employees of the Bank in full satisfaction of the claim of Bonus for the year 1964 made by the Union.

2. The parties agree that the amount of additional Bonus together with the amount of Bonus for the year 1964 agreed to be paid under the Settlement shall

be payable both to workmen and non-workmen staff of the Bank at the same rates and that the allotment of the amounts made in the Settlement for payment as additional Bonus for the years 1956 to 1963 (both years inclusive) and Bonus for the year 1964 includes the amount payable to the non-workmen staff.

3. The disbursement of Bonus as per this Settlement shall be made within a fortnight from the date on which this Settlement is signed by the parties.

4. The amount agreed to be paid as additional Bonus for the years mentioned hereinabove, together with the amount agreed to in respect of the year 1964 in pursuance of this Settlement shall be disbursed only on the employees' executing a receipt in the form appended hereunder discharging the Bank from all liability for payment of Bonus for the years in question.

5. The parties agree that this *ad hoc* settlement entered into shall not be taken as the basis or govern the principles for the determination of Bonus in future but this Settlement shall be final and binding on both the parties as regards the quantum of Bonus for the years 1956 to 1963 (both years inclusive) and 1964.

6. The Union hereby undertakes to file an application before the Central Government Industrial Tribunal, Bombay, alongwith its parent organisation, The All-India Bank Employees Association, Delhi, for withdrawal of the dispute relating to the Bonus for the year 1962 within 15 days from the date of this Settlement and undertakes to withdraw its claims for the years 1956 to 1961 pending before the Chief Labour Commissioner (Central), New Delhi, within 15 days from the date of this Settlement.

Specimen of Receipt:

IN terms of the Settlement dated _____ by and between the Bank of Maharashtra Limited, Poona, and the Bank of Maharashtra Employees Union, Bombay, which I have read and understood and the terms of which I fully accept, I hereby acknowledge receipt of an amount of Rs. _____ (Rupees _____)

being additional Bonus payable to me in terms of the Settlement, for the years _____ (here mention the years applicable) and an amount of Rs. _____ (Rupees _____) being the Bonus, payable to me in terms of the said Settlement for the year 1964, in full and final Settlement of all my claims against the Bank in respect of Bonus for the years referred to above.

Payment received this day, through the Bank of Maharashtra Limited

Branch (here mention the name of the Branch).

Place:

Date:

Signature across Revenue
Stamp of P. 10 wherever necessary.
(Name and designation of
the employee).

Dated this the 22nd day of January 1965, at Bombay.

for & on behalf of the
Bank of Maharashtra Ltd.

Witnesses:

(Sd.) C. V. JOAG,
General Manager.

(Sd.) S. V. DHARMADHIKARI.

Occupation: Service.

(Sd.) A. A. PATEKAR.

Occupation: Service.

for & on behalf of the Bank of
Maharashtra Employees Union, Bombay.
(Sd.) S. P. DHODAPKAR,

General Secretary.

(Sd.) S. R. LIMAYE,

Joint Secretary.

BEFORE SHRI SALIM M. MERCHANT, PRESIDING OFFICER, CENTRAL
GOVERNMENT, INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. C.G.I.T. 18 of 1964

In the matter of Bonus for the year 1962.

BETWEEN

The Bank of Maharashtra Ltd.,

AND

Its Workmen.

May it please Your Lordship:

The Bank of Maharashtra Ltd., Poona and the Bank of Maharashtra Employees' Union, Bombay, (Affiliated to the All India Bank Employees' Association, Delhi) representing the workmen of the said Bank have arrived at a settlement in respect of payment of additional Bonus for the years 1956—1963 and also Bonus for the year 1964.

2. That the parties wish to clarify that the quantum of Bonus as agreed to be paid for the year 1964, as stated in the said settlement, was arrived at on the basis of the profit at Rs. 13.37 lakhs published in the papers.

3. That the said profits are subject to audit, but the figure of profit, as published, is not likely to increase and in any event will not increase by more than about a thousand rupees, after audit.

Dated this 30th day of January 1965, at Poona.

for & on behalf of

The Bank of Maharashtra Ltd.,

(Sd.) L. G. MARATHE,
Senior Executive,
Accounts Division.

Witnesses:

(Sd.) S. B. SAPRE.

Occupation: Service.

(Sd.) S. V. DHARMADHIKARI.

Occupation: Service.

for & on behalf of the Bank of
Maharashtra Employees' Union, Bombay.

(Sd.) S. P. DHODAPKAR,
General Secretary.

(Sd.) S. R. LIMAYE,
Joint Secretary.

[No. 51(3)/64-LRIV.]

ORDERS

New Delhi, the 9th March, 1965

S.O. 886.—Whereas the employers in relation to the Bombay Port Trust, Bombay, and their workmen represented by the Bombay Port Trust General

Workers' Union, Bombay, have jointly applied to the Central Government for reference of an industrial dispute, that exists between them in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed, to a Tribunal;

And, whereas the Central Government is satisfied that the Bombay Port Trust General Workers' Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the Motor Drivers of the Bombay Port Trust Fire Service, are entitled under the terms and conditions of their service, to claim exemption from doing the work of operation of pumps and cleaning of Motor Vehicle? If so, to what relief are they entitled?

[No. 28/5/65/LR.IV.]

New Delhi, the 10th March 1965

S.O. 887.—Whereas the Central Government is of opinion that an industrial dispute exists or is apprehended between the managements of the Cement factories specified in Schedule I hereto annexed and their workmen in respect of the matter specified in Schedule II hereto annexed and that the said dispute involves a question of national importance and that the dispute is also of such a nature that industrial establishments situated in more than one State are likely to be interested in, or affected by, such dispute;

And, whereas the Central Government is of opinion that the dispute should be adjudicated by a National Tribunal;

Now, therefore, in exercise of the powers conferred by sub-section (1A) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute to the National Tribunal constituted by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 294, dated the 27th January 1961, for adjudication.

SCHEDULE I

Cement factories

Sl. No.	Name of the firm	Location of the factory.
1	Andhra Cement Co. Ltd., Vijayawada	Vijayawada (Andhra Pradesh)
2	Rohtas Industries Ltd., Dalmianagar.	Dalmianagar (Bihar).
3	Ashoka Cement Ltd., Dalmianagar	Dalmianagar (Bihar).
4	Kalyanpur Lime and Cement Works Ltd., Calcutta.	Banjari (Bihar).
5	Sone Valley Portland Cement Company Ltd., Calcutta.	Japla (Bihar).
6	Shree Digvijay Cement Company Ltd., Bombay.	Sikka (Gujarat).
7	Birla Jute Manufacturing Co. Ltd., Satna.	Satna (Madhya Pradesh).
8	Dalmia Cement (Bharat) Ltd., New Delhi.	Dalmiapuram (Madras).
9	India Cements Ltd., Madras.	Talaiyuthu (Sankarnagar) (Madras)
10	Mysore Iron and Steel Works Ltd., Bhadravati.	Bhadravati (Mysore).
11	Bagalkot Cement Co. Ltd., Bombay.	Bagalkot (Mysore).
12	Orissa Cement Ltd., New Delhi.	Rajgangpur (Orissa).
13	Dalmia Dadri Cement Co. Ltd., New Delhi.	Dalmia Dadri (Punjab).
14	Jaipur Udyog Ltd., Swai Madhopur.	Swai Madhopur (Rajasthan).

SCHEDULE II

Whether the demand of the workmen for a share in the incentive payment, allowed by Government to Cement producers, is justified? If so, what should be the basis and the quantum payable for the year 1968 and subsequent years?

[No. 8/58/64/LR.IV.]

CORRIGENDUM

New Delhi, the 12th March 1965

S.O. 888.—In the Order of the Government of India in the Ministry of Labour and Employment No. S.O. 351, dated the 21st January, 1965, relating to an industrial dispute published at page 376 in Part II—Section 3—Sub-Section (ii) of the Gazette of India, dated the 30th January, 1965, for “owned by Messrs Martin and Burn Limited” occurring in line 3 of the first paragraph, read:—

“with Managing Agency by Messrs. Martin Burn Limited”.

[No. 2/26/64/LRIV.]

O. P. TALWAR, Under Secy.

New Delhi, the 10th March 1965

S.O. 889.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints the Regional Director (Food), Bombay as a member of the Bombay Dock Labour Board *vice* the Deputy Director General, Shipping, Bombay, and makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 603, dated the 23rd February, 1963, namely:—

In the said notification, under the heading “Members representing the Central Government”, in item (5), for the entry “The Deputy Director General, Shipping, Bombay,” the entry “The Regional Director (Food), Bombay” shall be substituted.

[No. 530/5/63-Fac.]

K. D. HAJELA, Under Secy.

New Delhi, the 11th March 1965

S.O. 890.—PWA/Rly/Rules/Am.—In exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following rules further to amend the Payment of Wages (Railways) Rules, 1938, the same having been previously published, as required by sub-section (5) of the said section 26, namely:—

1. These Rules may be called the Payment of Wages (Railways) Amendment Rules, 1965.

2. In the Payment of Wages (Railways) Rules, 1938, in rule 14,

(i) for the ‘Heading’, the following ‘Heading’ shall be substituted, namely:—

“Procedure for imposing fines and deductions for loss or damage”

(ii) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) No fine shall be imposed and no deduction for damage or loss under sub-section (1) of section 10 of the Act, shall be made from a person employed by a Railway Administration except in accordance with the procedure laid down in the rules in force on the Railway and until the employed person has been given an opportunity of showing cause against such imposition or deduction.”

[No. 535/39/64-Fac.]

VIDYA PRAKASH, Dy. Secy.

MINISTRY OF PETROLEUM & CHEMICALS

New Delhi, the 8th March 1965

S.O. 891.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 2783, dated the 30th July 1964 read with S.O. No. 3567, dated the 26th September, 1964, under sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas, the Central Government has, after considering the said report, decided to acquire the right of user in lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government vest on the date of publication of this declaration in the Indian Oil Corporation Limited free from all encumbrances.

SCHEDULE

State: Bihar

District—Shahabad

Thana: Arrah

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Anait No. 227	125	0.015	Anait No. 227— <i>contd.</i>	1004	0.04
	109	0.015		1011	0.265
	108	0.065		1010	0.09
	107	0.11		1006	0.09
	106	0.11		1003	0.055
	105	0.015		1005	0.14
	103	0.115		999	0.15
	102	0.115		2480	0.15
	98	0.005		2482	0.17
	101	0.06		2481	0.14
	100	0.16		2499	0.14
	91	0.045		2498	0.13
	80	0.10		2838	0.08
	90	0.17		2881	0.01
	81	0.001		2878	0.21
	85	0.045		2882	0.22
	86	0.17		2879	0.025
	87	0.048		2880	0.03
	65	0.015		2877	0.18
	656	0.03		2873	0.003
	657	0.025		2874	0.415
	658	0.025		2875	0.07
	662	0.06		2872	0.29
	664	0.11		2894	0.35
	663	0.002		2915	0.045
	665	0.055		2916	0.05
	712	0.05		2917	0.05
	711	0.045		2924	0.01
	710	0.045		2923	0.105
	709	0.06		2926	0.095
	708	0.075		2928	0.47
	721	0.025		2936	0.05
	939	0.31		2937	0.075
	3648	0.135		2939	0.11

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Anait No. 227— <i>contd.</i>	2943	0·175	Kasbeh Arrah No. 237— <i>contd.</i>	10934	0·055
	2945	0·22		10943	0·001
	2944	0·01		10933	0·10
	2919	0·001		10932	0·005
Bahiro No. 170	771	0·01		10930	0·12
	55	0·085	Nawada No. 169	485	0·275
	54	0·195		484	0·005
	53	0·085	Murshidpur-Imadjani	15	0·42
	51	0·27	No. 168	16	0·485
	49	0·135		20	0·25
	74	0·095		21	0·002
	237	0·135		22	0·133
	238	0·002		25	0·12
	239	0·09		26	0·07
	236	0·001		29	0·155
	240	0·015		32	0·08
	241	0·08		33	0·095
	249	0·06		35	0·215
	242	0·005		36	0·145
	248	0·10		37	0·25
	247	0·007		38	0·23
	254	0·10		41	0·025
	253	0·06		42	0·165
	258	0·05		43	0·105
	256	0·005			
	257	0·115	Murshidpur-Imadjani	192	0·025
	228	0·015	No. 167	193	0·027
	327	0·07		194	0·07
	328	0·115		195	0·045
	331	0·003		196	0·15
	330	0·13		205	0·01
	329	0·035		206	0·16
	356	0·115		208	0·003
	359	0·21		209	0·02
	353	0·001		211	0·03
	767	0·015		212	0·10
	392	0·03		213	0·025
	391	0·002		223	0·10
	360	0·21		226	0·075
	362	0·045		227	0·095
	363	0·08		248	0·135
	361	0·005		249	0·25
	368	0·29		251	0·06
	371	0·02		252	0·045
	370	0·06		268	0·03
	369	0·09		269	0·05
	372	0·001		270	0·015
				271	0·06
Kasbeh Arrah No. 237	10906	0·015		273	0·055
	10907	0·09		274	0·22
	10910	0·11		275	0·11
	10911	0·10		276	0·10
	10912	0·002		277	0·16
	10905	0·025		279	0·62
	10887	0·08		305	0·26
	10888	0·24		307	0·005
	10889	0·09	Jamira No. 162	2719	0·005
	10891	0·05		2721	0·06
	10901	0·002		2722	0·12
	10940	0·001		2723	0·11
	10939	0·10		2724	0·155
	10938	0·001		2725	0·05
	10936	0·08		2726	0·005
	10952	0·025			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Jamira No. 162— <i>contd.</i>	2727	0.08	Jamira No. 162— <i>contd.</i>	2451	0.16
	2786	0.015		2437	0.03
	2728	0.14		2436	0.11
	2731	0.225		2438	0.135
	2729	0.035		2434	0.001
	2732	0.095		2435	0.001
	2734	0.35		2432	0.02
	2743	0.005		2402	0.03
	2744	0.06		2431	0.11
	2745	0.025		2428	0.10
	2746	0.085		2427	0.25
	2747	0.19		2426	0.11
	2748	0.002		2425	0.07
	2749	0.015		2424	0.001
	2750	0.23		2416	0.28
	2751	0.001		2423	0.002
	2753	0.01		2417	0.14
	2752	0.19		1632	0.12
	2755	0.175		1631	0.10
	2909	0.215		1622	0.185
	2908	0.001		1620	0.06
	2910	0.025		1619	0.075
	2911	0.06		1618	0.055
	2912	0.17		1616	0.001
	2913	0.17		1617	0.09
	2914	0.03		1615	0.185
	2915	0.085		1609	0.15
	2920	0.075		1608	0.04
	2916	0.002		1607	0.205
	2921	0.14		1606	0.09
	2928	0.215		1605	0.06
	2929	0.03		1604	0.025
	2931	0.095		1603	0.11
	2930	0.08		1602	0.02
	2932	0.135		1601	0.08
	2933	0.03		1600	0.01
	2934	0.002		1598	0.155
	3053	0.001		1597	0.005
	3054	0.08		1595	0.265
	3055	0.065		1594	0.002
	3057	0.20		1593	0.01
	3056	0.001		1589	0.135
	3059	0.16		1588	0.025
	3064	0.185		1586	0.115
	3063	0.19		1585	0.002
	3088	0.21		1584	0.012
	3089	0.01		1583	0.05
	3087	0.135		1587	0.025
	3086	0.08		1582	0.12
	3085	0.09		1580	0.02
	3084	0.14		1581	0.14
	3081	0.13		1576	0.01
	3080	0.03		1574	0.56
	3079	0.07		1558	0.015
	3072	0.135		1557	0.09
	3073	0.001		1555	0.15
	2467	0.26		1554	0.34
	2466	0.06		1548	0.12
	2465	0.07		1549	0.25
	2464	0.08		1550	0.005
	2463	0.08		1551	0.185
	2459	0.16		1552	0.04
	2458	0.15		1556	0.02
	2452	0.13		1723	0.002

New Delhi, the 10th March 1966

S.O. 892.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Oil Corporation Ltd., and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Special Land Acquisition Officer, C/o Indian Oil Corporation Limited, P.O. HATHIDAH, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar

District—Patna

Thana—Barh

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Bahadurpur No. 99	1480	0.20	Bahadurpur No. 99— <i>contd.</i>	1720	0.13
	1561	0.09		1780	0.035
	1560	0.04		1781	0.05
	1559	0.075		1782	0.11
	1557	0.015		1787	0.03
	1516	0.11		1786	0.11
	1514	0.17		1784	0.01
	1517	0.02		1785	0.23
	1519	0.015		1790	0.195
	1520	0.11		1791	0.24
	1521	0.035		1238	0.03
	1526	0.14		1792	0.03
	1529	0.01		1793	0.02
	1528	0.08		1227	0.345
	1527	0.10		1228	0.115
	1525	0.185		1229	0.04
	1524	0.015		1234	0.07
	1656	0.055		1233	0.26
	1655	0.065		1161	0.13
	1654	0.05		1160	0.13
	1653	0.025		1159	0.15
	1658	0.15		1158	0.09
	1660	0.005		1156	0.015
	1659	0.04		1157	0.20
	1652	0.25		1152	0.35
	1699	0.085		1147	0.06
	1700	0.045		1146	0.045
	2940	0.07		1145	0.06
	1701	0.01		1144	0.065
	1702	0.28		1143	0.06
	1703	0.16		1142	0.025
				1141	0.025
				1140	0.025
	1704	0.025		1789	0.055
	1723	0.08		1235	0.35
	1722	0.035			
	1721	0.015	Rahimampur No. 98	261	0.02
	1717	0.08		260	0.21
	1718	0.02		262	0.22
	1719	0.06		348	0.36

S.O. 893.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Oil Corporation Ltd., and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Special Land Acquisition Officer, C/o Indian Oil Corporation Limited, P.O. HATHIDAH, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar			District—Santhal Parganas			Thana—Deoghar		
Village with thana No.	Survey No.	Extent in acre	Village with thana No.	Survey No.	Extent in acre	Village with thana No.	Survey No.	Extent in acre
Gangti No. 209	1	0.02	Nawadih No. 292.	309	0.03			
	117	0.015		310	0.01			
	109	0.155		311	0.03			
	146	0.005		312	0.015			
	151	0.067		313	0.01			
	174	0.035		314	0.005			
	168	0.09						
	216	0.05						
	220	0.22	Kundikola No. 327	126	0.01			
	219	0.12		2	0.06			
	218	0.015		11	0.02			
	217	0.15						
	213	0.11						
	212	0.11	Mathhrapur No. 328	140B	0.055			
	175	0.065		168	0.02			
	179	0.125		166	0.01			
	178	0.04		135				
	180	0.15		872	0.03			
	159	0.105		873	0.005			
	152	0.09		875	0.04			
	150	0.18		876	0.01			
	145	0.155		879A	0.01			
	148	0.02		879B	0.01			
	147	0.13		880	0.02			
	108	0.015		883	0.01			
	3	0.005		885	0.01			
	742A	0.05		886	0.005			

[No. 31/47/63-ONG-(H).]

S.O. 894.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State to Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Oil Corporation Ltd., and that for the purpose of laying such pipeline, it is necessary to acquire the right of user in land described in the Schedule annexed hereto.

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Special Land Acquisition Officer, C/o Indian Oil Corporation Limited, P.O. HATHIDAH, District Patna. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Bihar		District—Santhal Parganas		Thana—Madhupur	
Village with Thana No.	Survey No.	Extent in acres	Village with thana No.	Survey No.	Extent in acres
Gormaro No. 610	77C	0·17	Pahardaha <i>alias</i> Madar-	832	0·17
	75	0·17	katta No. 605	817	0·08
	261	0·50		371	0·02
				370	0·005
Pahardaha <i>alias</i> Madan-	393	0·27		369	0·05
katta No. 605	388	0·22		368	0·09
	392	0·07		365	0·04
	381	0·01		372	0·04
	389	0·29		316	0·005
	379	0·25		301	0·14
	380	0·05		299	0·04

[No. 31/47/63-ONG-(III).]

P. P. GUPTA, Under Secy.

MINISTRY OF INDUSTRY AND SUPPLY

(Department of Industry)

(Indian Standards Institution)

New Delhi, the 9th March 1965

S.O. 895.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962, and 1964 the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 16 February to 28 February 1965.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
I	IS: 832-1964 Method for Determination of Twist in Yarn.	..	This standard prescribes a method for determination of direction of twists and amount of twist in terms of turns per metre of single, plied, or cabled yarn, with the use of direct-count type twist tester. In case of plied or cabled yarn, the method also provides for the determination of twist take up and twist release. (Price Rs. 2·00)

(1)	(2)	(3)	(4)
2	IS: 990-1964 Specification for Spoons, Stainless Steel (<i>Revised</i>)	IS: 990-1957 Specification for Spoons, Stainless Steel.	<p>This standard covers the requirements for the following types of spoons made of stainless steel:</p> <p>(a) Serving spoon, large; (b) Serving spoon; (c) Desert spoon; (d) Tea spoon; (e) Coffee spoon; (f) Soup spoon; (g) Mustard spoon; and (h) Salt spoon. (P. Price Rs. 2.00)</p>
3	IS: 1110-1964 Specification for Ferro Silicon (<i>Revised</i>)	IS: 1110-1957 Specification for Ferro Silicon.	<p>This standard covers the requirements for ferro silicon for use in iron and steel industry (Price Re. 1.00).</p>
4	IS: 1111-1964 Specification for Spiegeleisen; (<i>Revised</i>)	IS: 1111-1957 Specification for Spiegeleisen	<p>This standard covers requirements for spiegeleisen for use in iron and steel industry (Price Re. 1.00)</p>
5	IS: 1239-1964 Specifications for Mild Steel Tubes and Tubulars (<i>Revised</i>)	IS: 1239-1958 Specification for Mild Steel Tubes and Tubulars.	<p>This standard covers the requirements of butt welded, seamless, screwed and socketed mild steel tubes and tubulars and plain-end steel tubes, suitable for screwing to pipe threads of nominal bores ranging from 6 to 150 mm. Three grades of thicknesses, designated as 'Light', 'Medium' and 'Heavy' have been included in this standard. (Price Rs. 5.50).</p>
6	IS: 2228-1964 Specification for Rayon Mix Lining Cloth (<i>Revised</i>)	IS: 2228-1962 Specification for Rayon Mix Lining Cloth.	<p>This standard prescribes constructional details and other particulars of unfinished and finished rayon mix lining cloth ;</p> <p>(a) undyed, and (b) dyed, produced with three different loom-settings (Price Rs. 2.00)</p>
7	IS: 2480-1964 Specification for General Purpose Glass Thermometers	..	<p>This standard prescribes the requirements for general purpose liquid-in-glass thermometers graduated according to the Celsius (Centigrade) scale, meant for use where a high order of accuracy is not essential. (Price Rs. 2.00)</p>
8	IS: 2494-1964 Specification for V-Belts for Industrial Purposes.	..	<p>This standard covers the main characteristics of endless V-belts used primarily for power transmission, of isosceles trapezium cross-section, made for cord and fabric and treated with rubber or rubber-like compounds, the whole being moulded together in a uniform manner and shape. (Price Rs. 6.00)</p>

(1)	(2)	(3)	(4)
9	IS: 2709-1964 Guide for the Selection of Fits.	..	This guide gives recommendations for the selection of fits in engineering problems concerned with the mating of a shaft and a hole. These recommendations are also applicable to non cylindrical fits (Price Rs. 7.00).
10	IS: 2763-1964 Glossary of Terms Relating to Foundry Technology.	..	This standard is intended to define and explain the terms commonly used in foundry technology. (Price Rs. 10.00)
11	IS: 2768-1964 Specification for Gilding Metal Strip for Bullet Envelope	..	This standard covers the requirements for cold rolled gilding metal (90/10) strips for bullet envelope. (Price Rs. 3.00)
11	IS: 2830-1964 Specification for Carbon Steel Billets for Re-Rolling Into Structural Steel (Standard Quality)	..	This standard covers the requirements for three grades of carbon steel billets for re-rolling into structural steel (standard quality) (Price Rs. 1.50).
12	IS: 2855-1964 Method of test for Determining Flexivity of Thermostat Metals.	..	This standard prescribes the method of test for determining flexivity of thermostat metals tested in the form of flat strips of thickness 0.40 mm or over. (Price Rs. 1.50)
13	IS: 2858-1964 Code of Practice for Roofing with Mangalore Tiles.	..	This standard covers roofing with Mangalore pattern tiles which may include the following types of work: (a) Mangalore tiles laid directly over reepers; (b) Mangalore tiles laid with or without mortar on flat tiles; which are laid over reepers, and (c) Mangalore tiles laid on ceiling tiles which are laid over reepers. (Price Rs. 3.60)
14	IS: 2861-1964 Specification for Diazinon Emulsifiable Concentrates	..	This standard prescribes the requirements and the methods of test for diazinon emulsifiable concentrates (Price Rs. 4.00)
15	IS: 2862-1964 Specification for Diazinon Water Dispersible Powder Concentrates	..	This standard prescribes the requirements and the methods of test for diazinon water dispersible powder concentrates. (Price Rs. 4.00)
16	IS: 2865-1964 Specification for Methyl Parathion Emulsifiable Concentrates	..	This standard prescribes the requirements and the methods of test for methyl parathion emulsifiable concentrates. (Price Rs. 4.50)
17	IS: 2879-1964 Specification for Mild Steel for Metal Arc Welding Electrode Core Wire	..	This Indian standard covers the requirements for mild steel for metal arc welding electrode core wire. (Price Re. 1.00)
18	IS: 2885-1964 Specification for Frozen Frog Legs	..	This standard prescribes the requirements and the methods of test for frozen frog legs. (Price Rs. 3.00)

(1)	(2)	(3)	(4)
19	IS: 2891-1964 Specification for Wooden Handles for Felling Axes and Hand Axes	..	This standard covers the requirements of wooden handles for felling and hand axes. (Price Re. 1.00)
20	IS: 2893-1964 Specification for Wooden Handles for Adzes	..	This standard covers the requirements of wooden handles for adzes (Price Re. 1.00)
21	IS: 2910-1964 Specification for Shuttles for Jute Broad Looms	..	This standard prescribes requirements of shuttles for use in broad looms used for weaving jute cloth. Shuttles conforming to this standard are suitable for use with full cops of the following sizes: 290X41 mm 305X45 mm 355X45 mm 380X45 mm (Price Rs. 1.50).
22	IS: 2936-1964 Specification for Seeds of Carrot	..	This standard prescribes the requirements for seeds of carrot (<i>Daucus carota</i> L.). (Prices 1.50)
23	IS: 2970-1964 Specification for Cotton Fabrics for Supply-Dropping Parachutes.	..	This standard prescribes constructional details and other particulars of two types of cotton fabrics used in the fabrication of parachutes intended for supply-dropping purposes. (Price Rs. 20.50)

Copies of these Indian Standards are available for sale, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg., New Delhi-1, and also its branch offices at (i) Bombay Mutual Terrace, (First Floor), 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Third & Fourth Floor, 5 Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthy Bhavan, 54 General Patters Road, Madras-2 and (iv) 14/69, Civil Lines, Kanpur.

[No. MD/13:2]

New Delhi, the 10th March 1965

S.O. 896.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the marking fee(s) per unit for various products, details of which are given in the Schedule hereto annexed have been determined and the fee(s) shall come into force with effect from 1 April, 1965.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
(1)	(2)	(3)	(4)	(5)
1.	Hot Rolled Steel Strips (Baling)	IS : 1029-1956 Specification for Hot Rolled Steel Strips (Baling).	One Tonne	25 Paise
2.	Carbon Steel Bars, Billets, Blooms and Slabs for Forgings	IS : 1875-1961 Specification for Carbon Steel Bars, Billets, Blooms and Slabs for Forgings.	One Tonne	25 Paise

(1)	(2)	(3)	(4)	(5)
3.	Carbon Steel Bars for Production of Machined Parts for General Engineering Purposes.	IS : 2073-1962 Specification for Carbon Steel Bars for Production of Machined Parts for General Engineering Purposes.	One Tonne	25 Paise
4.	Carbon Steel Billets for Re-Rolling Into Structural Steel (Standard Quality).	IS : 2830-1964 Specification for Carbon Steel Billets for Re-rolling into Structural Steel (Standard Quality)	One Tonne	25 Paise
5.	Carbon Steel Billets for Re-Rolling Into Structural Steel (Ordinary Quality).	IS : 2831-1964 Specification for Carbon Steel Billets for Re-Rolling into Structural Steel (Ordinary Quality).	One Tonne	25 Paise

NOTE.—The above rates of marking fee will be applicable only in case of primary manufacturers of steel and re-rollers on par with them.

[No. MD/18:2.]

S.O. 897.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964 the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s), given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1.	IS : 562-1962 Specification for BHC Water Dispersible Powder Concentrates (Second Revision)	S.O. 3593 dated December 1962	No. 1 June 1964	(i) A new sub-clause 5.1.1 has been added after effect. (ii) The existing sub-clause 5.2.1, has been substituted by a new one	Immediate effect.
2.	IS : 565-1961 Specification for DDT Water Dispersible Powder Concentrates, (Revised).	S.O. 2242 dated 21 July 1962	No. 2 August 1964	(i) A footnote has been added at the end of Table I (ii) Clause 5.1—Add the following at the end of the existing clause : “The retail packs shall be of 500 g. The material shall be packed in a polythylene bag of not less than 0.125 mm (500 gauge) thickness, its mouth heat-sealed, and then packed in a cardboard carton which for transport purposes shall be further packed in suitable wooden cases secured with steel strap-pings.”	Immediate effect.

(1)	(2)	(3)	(4)	(5)	(6)
3. IS : 1239-1964 Specification for Mild Steel Tubes and Tubulars (<i>Revised</i>).	This Standard was originally gazetted as IS : 1239-1958 under S.O. 2834 dated 26 December 1959. The revised standard is being gazetted as IS : 1239-1964 during the current month	No. 1 October, 1964	(i) The existing clauses 12.1 to 12.4 have been substituted by new ones.	Immediate effect.	
4. IS 1506-1959 Specification for Copper Oxychloride Dusting Powders.	S.O. 1346 dated 28 May, 1960	No. 1 August, 1964	(i) The existing clause 5.1 has been substituted by a new one. (ii) A new sub-clause 5.2.1 has been introduced after 5.2 and the existing sub-clause 5.2.1 has been renumbered as 5.2.2. (iii) The existing sub-clause 5.2.1 (renumbered as sub-clause 5.2.2) has been substituted by a new one.	Immediate effect.	

Copies of these Amendment slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-1, and also its branch offices at (i) Bombay Mutual Terrace, First Floor, 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Third and Fourth Floors, 5, Chowringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54, General Patters Road, Madras-2 and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:5]

D. V. KARMARKAR,
Joint Director (Marks).

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 9th March 1965

S.O. 898.—In pursuance of clauses (i) to (k) of rule 4 of the General Grading and Marking Rules, 1937, and in partial modification of the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. G.S.R. 528, dated the 7th April, 1961, the Central Government hereby fixes with effect from the 1st April 1965 label charges indicated in

column 3 of the table below in respect of the corresponding entries in columns 1 and 2 thereof, namely:—

TABLE

Variety and grades of Tobacco.	Type and Weight of Tobacco package.	Rate of levy per package.
1	2	3
<i>Sun-cured Lal Chopadia and Sun-cured judi</i>		Rs. P.
All grades.	Bundles weighing from 301 to 400 Kg. . . .	3.00
	Bundles weighing from 201 to 300 Kg. . . .	2.00
	Bundles weighing from 100 to 200 Kg. . . .	1.00
<i>Bidi Tobacco Flakes</i>		
Processed and	Packages weighing 50 Kg. and more	0.75
Semi-Processed	Packages weighing less than 50 Kg. . . .	0.40

[No. F. 13-3/64-AM.]

SANTOKH SINGH, Under Secy.

(Department of Agriculture)
(Indian Council of Agricultural Research)

New Delhi, the 8th March 1965

S.O. 899.—In pursuance of the provisions of Sub-Section (d) of Section 4 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government hereby appoint Shri K. Srinivasan, Deputy Secretary in the Ministry of Commerce, Government of India, as a member of the Indian Central Oilseeds Committee for the period ending the 31st March, 1965 in the vacancy caused by the resignation of the sitting member, Shri G. R. Kadapa.

[No. 8-34/62-Com.II/III.]

N. K. DUTTA, Under Secy.

(कृषि विभाग)

(भारतीय कृषि अनुसंधान परिषद)

नई दिल्ली, दिनांक 8 मार्च, 1965

एस० प्रो० १००.—भारतीय तिलहन समिति अधिनियम 1946 (1946 का 9) के अनुभाग-4 के उप-अनुभाग (डी०) के अनुसार, केन्द्रीय सरकार वाणिज्य मंत्रालय में भारत सरकार के उप सचिव श्री के० श्रीनिवासन को 31 मार्च, 1965 तक की अवधि के लिए भारतीय केन्द्रीय तिलहन समिति के सदस्य के रूप में नियुक्त करती है। यह स्थान श्री यू० आर० कडापा द्वारा दिये गये त्यागपत्र के कारण खाली हुआ था।

[संख्या-8-34/62-सम-II/III]

एन० के० दत्ता,
अवर सचिव

(कृषि विभाग)

(भारतीय कृषि अनुसंधान परिषद)

नई दिल्ली, 9 मार्च, 1965

एस०प्रो० ६०१ भारतीय लाख कर अधिनियम, 1930 (अधिनियम संख्या 1930 की 24) के अनुभाग 8 के अन्तर्गत बनाये गये भारतीय लाख कर नियम, 1930 के नियम 19(4) के अनुसार केन्द्रीय सरकार इस अधिसूचना के द्वारा भारतीय लाख कर समिति के 31 मार्च, 1963 को समाप्त होने वाले वर्ष के लेखों की लेखा-परीक्षा रिपोर्ट, समिति के जांचे हुए प्राप्ति और अदायगी के लेखों सहित प्रकाशित करती है :—

भारतीय लाख कर समिति के सन् 1962-63 के लेखों की लेखा-परीक्षा रिपोर्ट

1. यह समिति भारतीय लाख कर अधिनियम, 1930 के अन्तर्गत बनायी गयी थी।

समिति को मुख्य रूप से आमदनी इस अधिनियम के अनुभाग-3 के अन्तर्गत लगाये गये कर द्वारा होती है। इसके अतिरिक्त तीसरी पंचवर्षीय योजना के अधीन शुरू की गयी योजनाओं के लिए भारत सरकार द्वारा अनुदान दिया जाता है। सन् 1962-63 में भी भारतीय लाख अनुसंधान संस्था, नामकुम के खर्च के लिए भारत सरकार द्वारा 3.93 लाख रुपये विशेष अनुदान के रूप में दिये गये।

समिति के सन् 1962-63 के प्राप्ति और अदायगी के लेखों का एक संक्षिप्त विवरण नीचे दिया गया है :—

(लाख रुपयों में)

प्राप्तियां	अदायगियां
1. एकत्रित करके समिति को दिया गया लाख-कर 4. 57	1. समिति का प्रशासन 1. 04
	2. लाख के विकास, खेती और निर्माण सम्बन्धी सुधार कार्यों के लिए किया गया खर्च 3. 24
	3. लाख के विपणन सम्बन्धी विकास और सुधार के लिए उपाय 0. 57
2. तीसरी पंचवर्षीय योजना की योजनाओं के लिए प्राप्त सहायक-अनुदान (वर्ग-ए) 9. 22	4. विविध व्यय 0. 17
	5. तीसरी पंचवर्षीय योजना की योजनाएं (वर्ग-ए)

प्राप्तियाँ	(लाख रुपयों में)	अदायगियाँ	
3. भारतीय लाख कर अनुसंधान- शाला के लिए विशेष अनुदान (शीर्ष-बी) (iv)	3.93	(क) लाख की कीट विज्ञान अनुसंधान और खेती सम्बन्धी योजना (मुख्य शीर्ष- i)	0.08
		(ख) लाख की रासायनिक अनुसंधान और उपयोग सम्बन्धी योजना (मुख्य शीर्ष-ii)	0.91
4. ऋण-पत्रों (सिक्क्योरिटीज) तथा अन्य प्राप्तियों की बिक्री	2.79	(ग) विपणन और सांख्यिकीय अनुसंधान (मुख्य शीर्ष-iii)	5.13
		4. भारतीय लाख अनुसंधानशाला सम्बन्धी व्यय (शीर्ष बी- iv)	4.62
योग	20.51	योग	15.76

केन्द्रक लाखपुर (ब्रूड लैक) फार्मों के कार्य

सन् 1962-63 में भारतीय लाखकर समिति द्वारा 14 लाखपुर (ब्रूड-लैक) फार्म चलाये गये। सन् 1961-62 में 174 रु० शुद्ध लाभ की अपेक्षा इनसे 3,471 रुपये का शुद्ध लाभ प्राप्त हुआ।

लाभ मालूम करने के लिए, समिति ने केवल प्रत्यक्ष खर्च, जैसे सामग्री, श्रम और अन्य सेवाओं को ही हिसाब में शामिल किया है और अन्य ऊपरी खर्च जैसे पर्यवेक्षण कर्मचारियों और फसल आदि की देखभाल करने वाले चौकीदारों पर किये गये खर्च को शामिल नहीं किया है।

(हस्ताक्षरित) डी० एच० बोरैया,
महालेखाकार, बिहार।

भारतीय लाख-कर समिति

31 मार्च, 1963 को समाप्त होने वाले वर्ष के प्राप्तियों और अदायगियों के लेखों का सार
[लेखा-जांच टोली (आडिट पार्टी) के आदेशानुसार निकटतम रूपों में]

प्राप्तियां			अदायगियां		
विवरण	राशि	योग	विवरण	राशि	योग
प्रारम्भिक शेष (राजकोष)		1,32,186	(क) समिति का प्रशासन		
			1. समिति के कार्यपद्धति सम्बन्धी उपाय	7,881	
आलोच्य वर्ष की आय		4,56,877	2. सचिव कार्यालय (केन्द्रित खाते तथा सिब्बंदी अनुभाग सहित)	96,531	1,04,412
एकत्रित लाख-कर					
ऋण पत्रों (सिक्योरिटियां) पर व्याज		28,557	(ख) लाख की खेती के तरीकों का		
अन्य प्राप्तियां		55,891	विकास और सुधार करने के तरीके		
ऋण-पत्रों की बित्ती द्वारा वसूल की गयी राशि		1,94,688	(4) प्रादेशिक अनुसंधान क्षेत्रीय केन्द्र (आई० एल० आर० आई०)	82,885	
भारतीय लाख-कर समिति भविष्य निधि खाता		52,504	(5) नई इमारतों और संपदा की देखभाल (आई० एल० आर० आई०)	73,836	
आयकर		6,217	(6) लाख का विस्तार	1,54,102	
			(7) खेती की वृद्धि सम्बन्धी योजना	..	
			(8) सहायक-अनुदान	13,376	3,24,199

प्राप्तियां			अदायगियां		
विवरण	राशि	योग	विवरण	राशि	योग
पेशगी और निलम्बित (सस्पेंस)		1,48,807	(ग) लाख के विपणन का सुधार और विकास सम्बन्धी उपाय		
तीसरी पंचवर्षीय योजना खाता			(9) सांख्यिकीय अनुभाग		57,102
आलोच्य वर्ष में तीसरी पंचवर्षीय योजना के अन्तर्गत वर्ग-ए की योजनाओं के लिए भारत सरकार से प्राप्त सहायक अनुदान		9,21,667	(घ) विविध		
			(1) प्रचार तथा अन्य	550	
			(2) कर्मचारियों को डाक्टरी सहायता	15,920	16,470
भारतीय लाख अनुसंधानशाला बी० (IV) के लिए भारत सरकार से प्राप्त विशेष अनुदान		3,92,750	पेशगी और निलम्बित (सस्पेंस)		2,10,359
			भविष्य निधि खाता		52,608
			आयकर		6,217
			तीसरी पंचवर्षीय योजना खाता		
			भारतीय लाख अनुसंधानशाला (बी० IV)	4,61,765	
			वर्ग ए योजनाओं पर खर्च	6,11,945	10,73,710
			इतिशेष (राजकोष)		5,45,067
कुल योग	रु०	23,90,144	कुल योग	रु०	23,90,144

संकलनकर्ता—

(हस्ताक्षरित) डी० के० मुकर्जी
उच्च लेखा लिपिक

जांच-पड़ताल करके ठीक प्रमाणित
किया जाता है।
(हस्ताक्षरित) ए० सी० तरफदार
अधीक्षक

(हस्ताक्षरित) उमा दत्त
सचिव

“मैंने उपरोक्त लेखों की जांच की है। मुझे जिस सूचना और वक्तव्यों की आवश्यकता पड़ी, वह मुझे प्राप्त हुई और संलग्न लेखा-जांच रिपोर्ट में व्यक्त किये गये विचारों को ध्यान में रखते हुए मेरे द्वारा की गई लेखा-जांच के आधार पर मैं प्रमाणित करता हूँ कि मेरी राय में यह लेखे विधिवत रूप से रखे गये हैं। इनके द्वारा इस संस्था की गतिविधियों का सच्चा और साफ रूप प्रदर्शित होता है। मेरा यह वक्तव्य मुझे दी गई सूचना और वक्तव्यों तथा संस्था द्वारा रखे गये लेखों पर आधारित है।”

(हस्ताक्षरित) डी० एच० वीरैया,
महालेखाकर, बिहार

[संख्या 3-1/64-काम-IV]

जे० एस० उप्पल,
अवर सचिव, भारत सरकार

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 9th March 1965

S.O. 902.—In pursuance of the provisions of Rule 19(4) of the Indian Lac Cess Rules, 1930, framed under section 8 of the Indian Lac Cess Act, 1930 (Act No. 24 of 1930), the Central Government hereby publish the Audit Report on the accounts of the Indian Lac Cess Committee togetherwith the audited accounts of "Receipts and Payments" of the Committee for the year ending 31st March, 1963:—

Audit Report on the Accounts of the Indian Lac Cess Committee for the year 1962-63.

1. The Committee was constituted under the Indian Lac Cess Act, 1930.

The main source of income of the Committee is a cess levied under section 3 of the Act. Besides, grants are paid by the Government of India for schemes under Third Five Year Plan. During the year 1962-63 a special grant of Rs. 3.93 lakhs to cover the expenses of the India Lac Research Institute, Namkum, was also given by the Government of India.

A brief analysis of the receipts and expenditure of the committee for the year 1962-63 is given below:

(In lakhs of rupees)

Receipts		Payments	
I. Lac Cess collection passed on to the Committee	4.57	I. Administration of Committee	1.04
II. Grants-in-aid for Third Five Year Plan Schemes (Category A)	9.22	II. Expenditure relating to improvement and development of cultivation of lac and manufacture.	3.24
III. Special grant for India Lac Cess Research Institute [Head B(iv)]	3.93	III. Measures relating to improvement and development of marketing of lac.	0.57
IV. Sales of securities and other receipts	2.79	IV. Miscellaneous expenditure	0.17
		V. Third Five Year Plan Schemes (Category A)	
		(a) Scheme relating to Entomology Research & cultivation of lac (Major head I)	0.08
		(b) Scheme relating to Chemical Research & Utilisation of lac (Major head II)	0.91
		(c) Statistical Research and Marketing (Major head III)	5.13
		VI. Expenditure relating to Indian Lac Research Institute [Head B (iv)]	4.62
TOTAL	20.51	TOTAL	15.76

Working of Nucleous Brood-lac farms

Fourteen Brood-lac farms were run by the Indian Lac Cess Committee during the year 1962-63. The net profit amounted to Rs. 3471 as against Rs. 174 in 1961-62.

In calculating the profit, the Committee has taken into account only direct expenses relating to materials, labour and other services and excluded over-head expenses like the cost of supervisory staff and expenditure on chowkidars to guard the crop etc.

Sd/- D. H. VEERAI AH,
Accountant General Bihar.

INDIAN LAC CESS COMMITTEE

Abstract Receipts and Payments Account for the year 1962-63 ending 31st March, 1963
(Rounded off to nearest Rupee as per Instructions of Audit Party)

RECEIPTS			PAYMENTS		
Particulars	Amount	Total	Particulars	Amount	Total
Opening balance : (Treasury)		1,32,186	A. <i>Administration of the Committee</i>		
<i>Income during the year</i>			I. Measures pertaining to the function of the Committee	7,881	
Lac Cess collection	4,56,877		II. Secretary's Office (including Centralised Accounts and Establishment Sec.)	96,531	1,04,412
Interest on Security	28,557		B. <i>Measures taken to improve and develop methods of cultivation of lac and manufacture</i>		
Other receipts	55,891		(iv) Regional Research Field Stations (ILRI)	82,885	
Amount realised on sale of Security	1,94,688		(v) New Buildings and Maintenance of Estate (ILRI)	73,836	
Indian Lac Cess Committee Provident Fund Account	52,504		(vi) Lac Extension	1,54,102	
Income Tax	6,217		(vii) Scheme for Increased cultivation		
Advance and suspense	1,48,807		(viii) Grants-in-aid	13,376	3,24,199
<i>Account Third Five Year Plan</i>			C. <i>Measures taken to improve and develop marketing of lac</i>		
Grant-in-aid received from the Government of India in respect of Category 'A' schemes under the Third Five Year Plan during the year		9,21,667	(xi) Statistical Section		57,102
Special grant received from the Government of India in respect of Indian Lac Research Institute B (IV)		3,92,750	D. <i>Miscellaneous</i>		
			(i) Publicity and others	550	
			(ii) Medical aid to staff	15,920	16,470
			Advance and suspense		2,10,359
			Provident fund account		52,608
			Income Tax		6,217

Particulars	Amount	Total	Particulars	Amount	Total
<i>Account Third Five Year Plan</i>					
			Expenditure incurred on account of Indian		
			Lac Research Institute (B.IV)	4,61,765	
			Expenditure on Category 'A' Schemes	6,11,945	10,73,710
			Closing Balance (Treasury)		5,45,067
GRAND TOTAL	Rs.	23,90,144	GRAND TOTAL	Rs.	23,90,144

Compiled by—

Sd/- D. K. MUKHERJEE,
Sr. Accounts Clerk.

Checked and certified correct.
Sd/- A. C. TARAFDER,
Superintendent.

Sd/- UMA DATTA,
Secretary.

"I have examined the foregoing accounts. I have obtained all the information and explanations that I have required, and subject to the observations in the audit report appended, I certify, as a result of my audit, that in my opinion these Accounts are properly drawn up so as to exhibit a true and fair view of the State of affairs of the Institution according to the best of my information and explanations given to me and as shown by the books of the institution."

Sd/- D. H. VEERARAH,
Accountant General Bihar
[No. 3-1/64-Com. IV]

J. S. UPPAL, Under Secy

MINISTRY OF HEALTH

New Delhi, the 10th March 1965

S.O. 903.—Whereas the Central Government has, in pursuance of the provisions of clause (n) of sub-section (1) of Section 3 of the Indian Nursing Council Act, 1947 (48 of 1947) nominated the following persons to be members of the Indian Nursing Council with effect from the 10th March, 1965:—

- (1) Dr. (Mrs) M. B. Kagal,
Adviser in M.C.W.,
Directorate General of Health Services,
New Delhi.
- (2) Dr. (Miss) Durga Devikar,
Principal, Lady Irwin College, New Delhi.
- (3) Miss M. Korah,
Superintendent, Lady Reading Health School,
Delhi.
- (4) Miss Lella Kabir,
Clinical Instructor,
College of Nursing, New Delhi.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Health No. F.27-57/57-MII(B), dated the 1st December, 1958, namely:—

In the said notification, under the heading "Nominated under clause (n) of sub-section (1) of section 3" for the entries against serial nos. 1 to 4 the following entries shall be substituted, namely:—

- (1) Dr. (Mrs) M. B. Kagal,
Adviser in M.C.W.,
Directorate General of Health Services,
New Delhi.
- (2) Dr. (Miss) Durga Devikar,
Principal, Lady Irwin College, New Delhi.
- (3) Miss M. Korah,
Superintendent, Lady Reading Health School,
Delhi.
- (4) Miss Lella Kabir,
Clinical Instructor,
College of Nursing, New Delhi.

[No. F.27-58/64-MPT.]

B. B. L. BHARADWAJ, Under Secy.

MINISTRY OF EDUCATION

ARCHAEOLOGY

New Delhi, the 4th March 1965

S.O. 904.—Whereas the Central Government is of opinion that the ancient monument specified in the Schedule attached hereto is of national importance.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 4 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby gives notice of its intention to declare the said ancient monument to be of national importance.

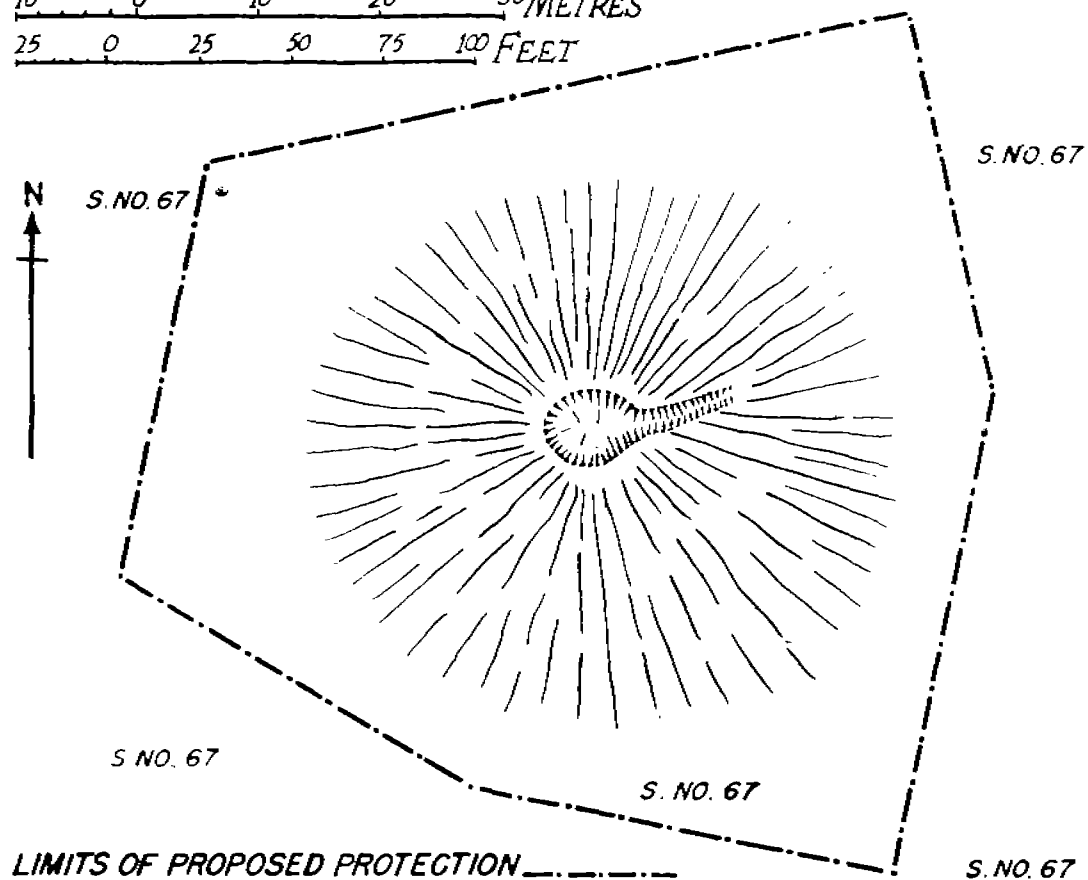
Any objection made within two months after the issue of this notification by any person interested in the said ancient monument will be considered by the Central Government.

SCHEDULE

Sl. No.	State	District	Tehsil	Locality	Name of monument	Revenue plot number to be included under protection	Area	Boundaries	Ownership	Remarks
1	2	3	4	5	6	7	8	9	10	11
1	Maharashtra.	Kolaba	Panval	Gharan-puri.	Ancient Brick Stupa at Elephanta Island together with adjacent land comprised in part of Survey Plot No. 67.	Part of Survey Plot No. 67 as shown in the plan reproduced below.	36 Gunthas.	North : Remaining portion of Survey Plot No. 67. East : Remaining portion of Survey Plot No. 67. South : Remaining portion of Survey Plot No. 67. West : Remaining portion of Survey Plot No. 67.	State Government.	

SITE PLAN OF ANCIENT STUPA AT ELEPHANTA ISLAND

10 0 10 20 30 METRES
25 0 25 50 75 100 FEET



MINISTRY OF IRRIGATION & POWER*New Delhi, the 5th March 1965*

S.O. 905.—The Central Government under the powers vested in it by the proviso to Rule 45(1) of the Indian Electricity Rules, 1956, exempts M/s. New Horizon Sugar Mills (Private) Ltd., Ariyar, Pondicherry State for the purpose of carrying out electrical installation work in their Mills at Ariyar from sub-rule (1) of Rule 45 of the Indian Electricity Rules, 1956, to such extent as is required for such work to be carried out by a Licensed Electrical Contractor.

The exemption is subject to the following conditions:—

- (1) That the actual electrical installations work is carried out in the Mills by persons holding wiremen's certificate and permits issued by the Government of Pondicherry;
- (2) That all such works are carried out under the direct supervision of a person engaged for the whole time and holding Supervisors' Competency Certificate and permit issued or recognised by the Government of Pondicherry;
- (3) That the Mills keep the following electrical instruments in its permanent possession:
 - (i) Insulation resistance tester (Megger)—500 Volts.
 - (ii) Ammeter '6" dial portable type; and
 - (iii) Volt meter '6" dial portable type 0-500 volts.
- (4) That such exemption will cease as soon as the Supervisor holding competency certificate on the strength of which this exemption is granted leaves the services of the Mills about which the Mills shall send the intimation within twenty-four hours to the Member-Secretary of the Licensing Board, Pondicherry.
- (5) That such works are confined within the factory limits of the Mills and only for the bonafide use of the Mills.
- (6) That this exemption may be withdrawn at any time without assigning any reason.

[No. EL-II-6(1)/65.]

D. K. BASU,

Deputy Director (Technical).

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION**(Department of Cooperation)***New Delhi, the 6th March 1965*

S.O. 906.—In exercise of the powers conferred by Section 5-B of the Multi-unit Cooperative Societies Act, 1942. (6 of 1942), the Central Government hereby directs that all powers or authority exercisable by the Central Registrar of Co-operative Societies under the said Act shall also be exercisable by Shri C. A. Jamakhandimath, Registrar of Cooperative Societies Mysore, in respect of multi-unit cooperative societies which are or deemed to be actually registered in the State of Mysore.

[No. 3-14/64-CT.]

A. C. BANDOYPADHYAY, Dy. Secy.

MINISTRY OF INFORMATION AND BROADCASTING*New Delhi, the 10th March 1965*

S.O. 907.—In exercise of the powers conferred by sub-rule (2) of rule 11, Clause (b) of sub-rule (2) of rule 14, and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President

hereby makes the following amendments in the Notification of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 618, dated the 28th February, 1957, namely:—

In the Schedule to the said notification, in Part III—General Central Service, Class IV, under the heading “B Subordinate Offices”,

- (i) for the sub-heading “Maintenance Engineer” and the entries relating thereto, the following sub-heading and entries shall be substituted, namely:—

1	2	3	4	5
“Maintenance Engineer				
All posts	Senior Deputy Maintenance Engineer.	Senior Deputy Maintenance Engineer.	All	Maintenance Engineer.”

- (ii) for the sub-heading, “Research Engineer” and the entries relating thereto, the following sub-heading and entries shall be substituted, namely:—

1	2	3	4	5
“Research Engineer.				
All posts	Assistant Research Engineer.	Assistant Research Engineer	All	Research Engineer.”

[No. 15/2/58-B(A).]

R. L. JAIN, Under Secy.

